

CANDIDATE FILING GUIDE

PRIMARY ELECTION MARCH 2, 2004

**Compiled by:
San Diego County Registrar of Voters**

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NOTES

COUNTY OF SAN DIEGO -- REGISTRAR OF VOTERS

5201 Ruffin Road, Suite I
San Diego, California 92123
www.sdvote.com

Office Hours: 8 a.m. to 5 p.m.; Monday through Friday (excluding state holidays)

ELECTION GUIDE

This pamphlet has been prepared to assist candidates in preparing for the March 2, 2004 Primary Election. This guide is not all encompassing; it merely summarizes the major provisions related to candidates running for office in San Diego County. Candidates, political committees, and anyone interested in elective office should not, therefore, rely solely on this guide; but should contact the Registrar of Voters Office for more detailed information, or seek legal counsel.

An informative campaign services seminar will be held on Wednesday, January 7, 2004. Candidates and campaign representatives may wish to attend. (See Page 75 for details.)

For further information or more detailed explanations, please call the numbers listed below:

Section	Telephone Number
Absentee/Mail Ballot	(858) 565-5800
Candidate Filing	(858) 694-3405
Election Day and Night.....	(858) 565-5800
Financial and Campaign Disclosure.....	(858) 694-3407
Precincts/Polls	(858) 694-3458 or (858) 694-3468
Voter Registration	(858) 565-5800

The cities of Chula Vista, Lemon Grove and San Diego will also consolidate their regularly scheduled elections with the Primary Election. For information and filing requirements for offices in those cities, please contact each City Clerk at the following numbers:

City	Telephone Number
Chula Vista.....	(619) 691-5041
Lemon Grove	(619) 825-3800
San Diego	(619) 533-4000

NOTICE

No duty is imposed upon the Registrar of Voters to determine whether a candidate meets the requirements for holding office. The Declaration of Candidacy that each candidate must sign states that the candidate meets the statutory and/or constitutional qualifications for office including, but not limited to, citizenship, residency, and party affiliation, if required.

IMPORTANT NOTICE

PUBLIC REVIEW PERIOD SET

State law provides for a “public review period” of all candidates’ ballot occupational designations, candidates’ statements of qualifications, ballot measure analysis, arguments, rebuttals and other materials before printing the Sample Ballot and Voter Information Pamphlet.

A recent amendment to the California Elections Code (SB 2001, Chapter 228) further defines this review period, with a distinct period for each document filed with the Registrar of Voters.

During this period, any voter who believes any portion of these materials to be false, misleading or inconsistent with state law may seek a writ of mandate or injunction requiring any or all of the material to be amended or deleted.

These periods are as follows:

Ballot Occupational Designations

December 8 to December 18:	Candidates filed by December 5
December 11 to December 22:	Candidates filed by December 10 (during the 5-day extension)

Candidates’ Statements of Qualifications

December 8 to December 18:	Statements filed by December 5
December 11 to December 22:	Statements filed by December 10 (during the 5-day extension)

County Counsel’s Impartial Analysis of Local Propositions

December 16 to December 26

Ballot Arguments “in Favor of” or “Against” Local Propositions

December 18 to December 29

Rebuttals to Ballot Arguments “in Favor of” or “Against” local propositions

December 30 to January 8

All documents will be available for public review at the Registrar of Voters Office during regular business hours.

NOTE:

The dates for any of the incorporated/charter cities may be different.

Please contact each City Clerk for details.

“MUST KNOW” ITEMS FOR THE MARCH 2004 PRIMARY

✓ **New Voting System**

The March 2 Presidential Primary election will see the debut of San Diego County’s new voting system. The system will have two main components. One will be a Direct Record Electronic (DRE) voting system (touchscreen) for use at poll locations and early voting at the Registrar of Voters office. The other will be an optical scan (fill-in-the-bubble) system for absentee/mail ballot voters. A discussion of the new system will be facilitated by the Registrar of Voters at the Campaign Services seminar held on January 7. See page 75 for details.

✓ **Permanent Absentee Voting**

Assembly Bill 1520 (Chapter 922, 2001) authorized *any* voter to apply for permanent absentee voter status. It is estimated that nearly 200,000 San Diego County voters will automatically receive a ballot by mail for the 2004 Primary Election as a consequence of this legislation. Prior to the passage of this law, less than 15,000 voters received their ballots automatically by mail.

✓ **Nonpartisan Voters Can Vote in Certain Partisan Elections**

California Election Law provides that Nonpartisan voters, or voters who are not affiliated/registered with one of the qualified political parties (American Independent, Democratic, Green, Libertarian, Natural Law, Peace and Freedom, and Republican) may request and vote on either:

- A nonpartisan ballot, containing all state and local nonpartisan offices and measures; OR,
- A ballot for one of the following parties: **American Independent, Democratic, or Republican.** The ballot will include the candidates running for office from the party and all state and local nonpartisan offices and measures. These parties are permitting “unaffiliated/nonpartisan” voters to help nominate their candidates. **Exceptions:** The **Democratic** and **Republican** parties are **not** allowing “unaffiliated/nonpartisan” voters to vote on their **party central committee** contests. **In addition**, the **Republican** party is **not** allowing “unaffiliated/nonpartisan” voters to vote for their **Presidential** candidates.

✓ **Weekend Voting**

The Registrar’s office will be open the weekend before the election – February 28 and 29 – to assist voters unable to go the polls on Election Day. Also, voters may vote at the Registrar’s office during regular business hours beginning February 2.

✓ **Registrar’s Campaign Services Seminar**

Learn what products and services are available from the Registrar of Voters for your campaign. The seminar will be held on January 7 (at 9 a.m. and again at 6 p.m.) in a spacious location – next door to the Registrar of Voters in the County’s Planning Department chambers. See Page 75.

✓ **Daily Candidate List Available “On-Line”**

A comprehensive list of candidates that have taken out and/or filed nomination documents for offices appearing on the March 2, 2004 Primary ballot will be updated daily and posted on the Registrar’s website at www.sdvote.com.

KNOW OF AN ELECTION VIOLATION? Here's Who to Call

In response to the many inquiries we receive regarding possible election violations or fraud, a list has been compiled regarding who to contact for the various types of violations.

The San Diego County Elections Department is **NOT** an enforcement agency and is therefore unable to investigate any violations. Reports of violations should be referred to the agencies listed below:

- False or misleading campaign materials: No agency enforcement; these issues are dealt with in court.
- Violations of the Political Reform Act (Title 9 of the California Government Code in Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests: Contact the Fair Political Practices Commission at www.fppc.ca.gov, 800-561-1861.
- Election fraud: Contact the Registrar of Voters Office, 858-565-5800 or 800-696-0136, the District Attorney, 619-531-4051, or the California Secretary of State at www.ss.ca.gov, 916-657-2166.
- Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act: Contact the District Attorney, 619-531-4051, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225.
- Federal campaigns, Congress, U.S. Senate, President of the United States, etc.: Contact the Federal Election Commission at www.fec.gov, 800-424-9530.
- Open meeting laws (Brown Act): Contact the District Attorney, 619-531-4051, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225.
- Local ordinances: Contact your local city attorney or the District Attorney, 619-531-4051.
- Vandalism: Contact your local police department or the sheriff, as appropriate.
- Requirements concerning campaign signs: See the list of contacts in the Candidate Filing Guide.

FEDERAL / STATE / LOCAL ENFORCEMENT OFFICES	
Fair Political Practices Commission P.O. Box 807 (95812-0807) 428 J Street, Suite 450 Sacramento, CA 95814 Phone: 866-275-3772 FAX: 916-322-0886 Reporting Enforcement Violations 800-561-1861	Secretary of State Political Reform Division 1500 11 th Street, Room 495 Sacramento, CA 95814 Phone: 916-653-6224 FAX: 916-653-5045 Elections Division 916-657-2166
Federal Election Commission 999 E Street, NW Washington, DC 20463 Phone: 800-424-9530 For the hearing impaired, TTY 202-219-3336	Attorney General P.O. Box 944255 Sacramento, CA 94244-2550 Phone: 916-445-9555/800-952-5225
San Diego County District Attorney's Office 330 West Broadway San Diego, CA 92101 Phone: 619-531-4051 FAX: 619-237-1351	

**This page contains
a calendar for
2003/2004/2005**

CALENDAR OF EVENTS

PRIMARY ELECTION – MARCH 2, 2004

The Campaign Disclosure schedule is on the page following this calendar.

DATE	DAYS BEFORE ELECTION	EVENT
Sept. 26, 2003	158	PETITIONS IN LIEU OF FILING FEE - ISSUANCE First day Registrar of Voters can issue Petition in Lieu of Filing Fee forms. (E.C. Sec. 8106) Note: Does not apply to San Diego Unified School District candidates.
October 23	131	STATE MEASURES Last day for a statewide measure to qualify for the March ballot.
October 27	127	DECLARATION OF INTENTION - FIRST DAY First day to file a Declaration of Intention. This is required for State Senate, State Assembly, Independent or Judicial Candidates. (Must be accompanied by either payment of filing fee and/or petitions in lieu of filing fee. The filing fee is non-refundable.) (E.C. Sec. 8105, 8022, 8023)
November 5	118	DECLARATION OF INTENTION - LAST DAY Last day to file a Declaration of Intention. (E.C. Sec. 8022, 8023)
November 10	113	NOMINATION PERIOD - FIRST DAY Nomination forms to be issued upon payment of filing fee (either by check and/or petitions in lieu of filing fee). (E.C. Sec. 8020) Note: Candidates for San Diego Unified School District pay filing fee when nomination papers are returned.
November 10	113	DECLARATION OF INTENTION - EXTENSION Last day of extension for filing Declaration of Intention if incumbent has not filed by November 5. Extension does not apply to incumbents, or for offices in which the incumbent is prohibited from seeking re-election due to term limits. (Cal. Constitution, Art. IV, Sec. 2, E.C. Sec. 8022, 8023)
November 20	103	PETITIONS IN LIEU OF FILING FEE - LAST DAY Last day to submit initial petitions in lieu of filing fee. This date does not apply to candidates for State Senate, State Assembly, and Judicial Offices (petitions were due with Declaration of Intention); or to San Diego Unified School District (petitions due by December 5 with other documents). The Registrar of Voters has 10 days in which to verify the signatures. (E.C. Sec. 8106)
December 5	88	FINANCIAL AND CAMPAIGN DISCLOSURE Last day to submit Statement of Economic Interest - Form 700. (Gov. Code Sec. 87200, 87201, 87300, 87500)
December 5	88	NOMINATION PERIOD - LAST DAY (E.C. Sec. 8020, 10407, Gov. Code Sec. 87200, 87201, 87300, 87500)
December 5	88	PETITIONS IN LIEU OF FILING FEE - SUPPLEMENTAL FILING Last day to file with the Registrar of Voters supplemental signatures or pay a pro-rata portion of the filing fee to cover any deficiency. (E.C. Sec. 8106) Note: Does not apply to San Diego Unified School District candidates.

CALENDAR OF EVENTS (Continued)

DATE	DAYS BEFORE ELECTION	EVENT
December 5	88	PETITIONS IN LIEU OF FILING FEE - LAST DAY Last day for candidates for San Diego Unified School District to submit petitions in lieu of filing fee. (Supplemental filings are not allowed.)
December 5	88	LOCAL MEASURES – SPECIAL DISTRICTS AND CITIES Last day to receive a resolution from local jurisdictions for a measure to appear on the ballot. (E.C. Sec. 10403)
December 10	83	NOMINATION PERIOD - EXTENSION Last day of extension for filing nomination documents if incumbent has not filed by December 5. Extension does not apply to U.S. Senate, Congressional offices, to an incumbent for <u>any</u> office or for offices in which the incumbent is prohibited from seeking re-election due to term limits. (E.C. Sec. 8024)
December 11	82	RANDOM ALPHABET There shall be a random drawing of the alphabet at 11 a.m. to determine the order in which candidates' names appear on the ballot. (E.C. Sec. 13112)
December 15	78	JUDICIAL WRITE-IN CAMPAIGN Last day to file a petition indicating a write-in campaign will be conducted for an unopposed judicial office. (E.C. Sec. 8203)
January 5, 2004	57	WRITE-IN CANDIDATES First day for a person desiring to be a qualified write-in candidate (except for Judicial Offices) to file the required documents with the Registrar of Voters. (E.C. Sec. 8601)
January 7	55	CAMPAIGN SERVICES SEMINAR - 9 a.m. OR 6 p.m. Three hour seminar to explain the products/services available from the Registrar of Voters. The seminar will be held in the Meeting Room at the Department of Planning and Land Use. See Page 75 for details.
January 22 through February 10	40 - 21	MAIL SAMPLE BALLOTS Between these dates the Registrar of Voters will mail sample ballots. (E.C. Sec. 13300 – 13304)
February 2 through February 24	29-7	ABSENTEE/MAIL VOTING - BY MAIL OR IN PERSON Between these dates written applications for absentee/mail the Registrar of Voters will process ballots. Applications received prior to February 2 will be held and processed during this period. (E.C. Sec. 3001)
February 10	21	WRITE-IN CANDIDATES – PRESIDENTIAL CANDIDATES Last day for a person desiring to be a qualified write-in candidate for President of the United States to file the required documents with the Secretary of State. Please call (916) 657-2166 for details. (E.C. Sec. 6241, 6441, 6621, 6822)
February 2 through February 24	29-7	ABSENTEE/MAIL VOTING - BY MAIL OR IN PERSON Between these dates written applications for absentee/mail the Registrar of Voters will process ballots. Applications received prior to February 2 will be held and processed during this period. (E.C. Sec. 3001)

CALENDAR OF EVENTS (Continued)

DATE	DAYS BEFORE ELECTION	EVENT
February 10	21	WRITE-IN CANDIDATES – PRESIDENTIAL CANDIDATES Last day for a person desiring to be a qualified write-in candidate for President of the United States to file the required documents with the Secretary of State. Please call (916) 657-2166 for details. <i>(E.C. Sec. 6241, 6441, 6621, 6822)</i>
February 17	14	VOTER REGISTRATION DEADLINE Last day to register to vote in the March Primary Election. (Extended by holiday.)
February 17	14	WRITE-IN CANDIDATES - LOCAL OFFICES Last day for a person desiring to be a qualified write-in candidate (except for Judicial Offices) to file the required documents with the Registrar of Voters. <i>(E.C. Sec. 8601)</i>
February 25 through March 2	6-0	ABSENTEE VOTING - IN PERSON ONLY During this period absentee ballots are available at the Registrar of Voters Office when conditions prevent voting at polling place. A written application signed by the voter under penalty of perjury is required. <i>(E.C. Sec. 3021)</i>
February 28-29	3-2	WEEKEND VOTING The Registrar's office will be open this weekend to assist voters unable to go the polls on Election Day.
March 2	0	ELECTION DAY Polls open from 7 a.m. until 8 p.m. <i>(E.C. Sec. 14212)</i>

**CAMPAIGN DISCLOSURE SCHEDULE
IS ON THE FOLLOWING PAGE.**

CAMPAIGN DISCLOSURE SCHEDULE

Filing Schedule for:

- Candidates and ballot measures to be listed **ON** the March 2 ballot
- Primarily Formed Committees to Support/Oppose Candidates and Ballot Measures to be listed on the March 2 ballot
- County General Purpose Recipient Committees

FILING DEADLINE	TYPE OF STATEMENT	PERIOD COVERED BY STATEMENT ^{1/}	METHOD OF DELIVERY
October 10, 2003	Pre-election	1/1/03 - 9/30/03 or 7/1/03 - 9/30/03	✓ Personal Delivery ✓ First Class Mail
January 10, 2004 ^{2/}	Semi-Annual	^{1/} - 12/31/03	✓ Personal Delivery ✓ First Class Mail
January 22, 2004	Pre-election	1/1/04 - 1/17/04	✓ Personal Delivery ✓ First Class Mail
February 19, 2004	Pre-election	1/18/04 - 2/14/04	✓ Personal Delivery ✓ Guaranteed Overnight Service
Within 24 Hours	Late Contributions ^{3/} and Late Independent Expenditures of \$1,000 or More ^{4/}	2/15/04 - 3/1/04	✓ Personal Delivery ✓ Telegram ✓ Guaranteed Overnight Service ✓ Fax
July 31, 2004 ^{2/}	Semi-Annual	2/15/04 - 6/30/04	✓ Personal Delivery ✓ First Class Mail

Footnotes:

- 1/ The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- 2/ Because January 10 and July 31, 2004, fall on a Saturday, these filing deadlines are extended to January 12 and August 2, 2004, respectively.
- 3/ The recipient of a late "in-kind" contribution must file a Late Contribution Report within 48 hours from the time the in-kind contribution is received.
- 4/ A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.

Additional Notes:

- Candidates are required to file the October 10 statement only if they have filed a Form 501 (Statement of Intention) in connection with the election by September 30, 2003.
- If independent expenditures of \$1,000 or more are made in connection with the election, call the FPPC for information on filing special reports.
- All statements are public documents.

IMPORTANT

In addition to paper reports, state candidates and committees that file with the Secretary of State may be required to file electronically.

See: www.ss.ca.gov

OFFICES TO APPEAR ON THE BALLOT

PARTISAN

FEDERAL OFFICES			
OFFICE TITLE	INCUMBENT/PARTY	LENGTH OF TERM	NEW TERM BEGINS
PRESIDENT	George Bush (R)	4 years	January 20, 2005 (12:00 noon)
VICE PRESIDENT	Dick Cheney (R)		
UNITED STATES SENATOR	Barbara Boxer (D)	6 years	January 3, 2005 (12:00 noon)
REPRESENTATIVE IN CONGRESS		2 years	January 3, 2005 (12:00 noon)
49 th District	Darrell Issa (R)		
50 th District	Randy "Duke" Cunningham (R)		
51 st District	Bob Filner (D)		
52 nd District	Duncan Hunter (R)		
53 rd District	Susan Davis (D)		
STATE LEGISLATURE			
OFFICE TITLE	INCUMBENT/PARTY	LENGTH OF TERM	NEW TERM BEGINS
STATE SENATE		4 years	December 6, 2004
39 th District	* DeDe Alpert (D)		
STATE ASSEMBLY		2 years	December 6, 2004
66 th District	Ray Haynes (R)	* Prohibited from seeking re-election due to term limits	
73 rd District	* Patricia C. Bates (R)		
74 th District	Mark Wyland (R)		
75 th District	George A. Plescia (R)		
76 th District	Christine Kehoe (D)		
77 th District	Jay La Suer (R)		
78 th District	Shirley Horton (R)		
79 th District	Juan Vargas (D)		

OFFICES TO APPEAR ON THE BALLOT (Continued)

PARTISAN (Continued)

COUNTY CENTRAL COMMITTEE (Elected by Assembly Districts)					
OFFICE TITLE	PARTY/NUMBER TO BE ELECTED			LENGTH OF TERM	NEW TERM BEGINS
ASSEMBLY DISTRICTS	Democratic	Republican	^{1/} American Independent	2 years	(Varies by party)
66 th District	6	6			
73 rd District	6	6			
74 th District	6	6			
75 th District	6	6			
76 th District	6	6			
77 th District	6	6			
78 th District	6	6			
79 th District	6	6			
^{1/} Figures not available at the time of printing this Guide; please ask the Registrar of Voters for details.					
COUNTY CENTRAL COMMITTEE (Elected by Supervisorial Districts or Countywide)					
OFFICE TITLE	PARTY/NUMBER TO BE ELECTED Figures not available at the time of printing this Guide; please ask the Registrar of Voters for details.			LENGTH OF TERM	NEW TERM BEGINS
SUPERVISORIAL DISTRICTS	Libertarian	Natural Law	Peace & Freedom	2 years	(Varies by party)
1 st District					
2 nd District					
3 rd District					
4 th District					
5 th District					
Green “County Council” (not “Central Committee”) Elected countywide, not by district					

OFFICES TO APPEAR ON THE BALLOT (Continued)

NONPARTISAN

OFFICE TITLE/OFFICE NUMBER/INCUMBENT		LENGTH OF TERM: 6 years NEW TERM BEGINS: January 5, 2005	
JUDGE OF THE SUPERIOR COURT			
Office Number/Incumbent		Office Number/Incumbent	
1	Patricia Y. Cowett	14	Melinda J. Lasater
2	David B. Oberholtzer	15	K. Michael Kirkman
3	Amalia L. Meza	16	John M. Thompson
4	Rafael A. Arreola	17	Stephanie Sontag
5	Kevin A. Enright	18	Leo Valentine, Jr.
6	J. Lantz Lewis	19	Gerald C. Jessop
7	S. Charles Wickersham	20	DeAnn M. Salcido
8	Robert C. Coates	21	Lisa Foster
9	Susan D. Huguenor	22	Allan J. Preckel
10	Robert F. O'Neill	23	Joel M. Pressman
11	Kerry Wells	24	J. Richard Haden
12	J. Michael Bollman	25	Larrie R. Brainard
13	Laura P. Hammes		
COUNTY OFFICES			
OFFICE TITLE		INCUMBENT	LENGTH OF TERM
			NEW TERM BEGINS
BOARD OF SUPERVISORS			4 years
			January 5, 2005
1 st District		Greg Cox	
2 nd District		Dianne Jacob	
3 rd District		Pam Slater	
SCHOOL OFFICES			
OFFICE TITLE		INCUMBENT	LENGTH OF TERM
			NEW TERM BEGINS
COUNTY BOARD OF EDUCATION			4 years
			January 5, 2005
1 st District		John Witt	
2 nd District		Nick Aguilar	
4 th District		Robert Watkins (Appointed)	
SAN DIEGO COMMUNITY COLLEGE DISTRICT			4 years
			December 6, 2004
District B		William H. Schwandt	
District D		Marty Block	
SAN DIEGO UNIFIED SCHOOL DISTRICT			4 years
			December 6, 2004
District A		Frances O'Neill Zimmerman	
District D		Ron Ottinger	
District E		Edward Lopez	

INCOMPATIBILITY OF OFFICES

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. For example, a deputy district attorney can hold the office of city council member, or a water board director may also be elected to a park and recreation district. There are, however, instances of holding more than one office that are considered incompatible.

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of offices, however, prevents an elected official from holding two offices simultaneously **if the offices have overlapping and conflicting public duties**.

The courts have defined this concept as follows: “One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests, or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both.”

The State of California Attorney General’s Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

1. The offices of city councilman and school district board member where the city and the school district have territory in common;
2. fire chief of a county fire protection district and member of the board of supervisors of the same county;
3. high school district trustee and trustee of an elementary school district which is wholly within the geographic boundaries of the high school district;
4. water district director and a city council member,
5. water district director and a school district trustee having territory in common; and
6. deputy sheriff and county supervisor.

If you have a question about whether two public offices which you hold or seek to hold would be considered incompatible, contact the Attorney General’s office at (916) 324-5437 or visit their website, www.caag.state.ca.us. For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission’s website at www.fppc.ca.gov, or phone toll free 1-866-275-3772

GENERAL QUALIFICATIONS TO RUN FOR AND HOLD PUBLIC OFFICE

AGE/ CITIZENSHIP	A person is incapable of holding a civil office if at the time of his/her election or appointment he/she is not 18 years of age and a citizen of the state. <i>(Gov. Code Sec. 1020)</i>
REGISTERED VOTER/ DISTRICT RESIDENT	Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person or at the time of the person's appointment, except Superior Court. <i>(E.C. Sec. 201)</i>
CONVICTION OF CRIMES	A person is disqualified from holding any office upon conviction of designated crimes as specified in the Constitution and laws of the State. <i>(Gov. Code Sec. 1021)</i>
FILE FOR MORE THAN ONE OFFICE	No person may file nomination papers for more than one office at the same election. <i>(E.C. Sec. 8003b, San Diego Municipal Code Sec. 27.0211)</i> A person may file nomination papers for County Central Committee and another public office, as a Central Committee Member is not an "office" within the meaning of Section 8003b. <i>(SOS Opinion No. 82 SOS 1)</i>

GENERAL QUALIFICATIONS - PARTISAN OFFICE

(Elections Code Section 8001)

No declaration of candidacy for a partisan office or for membership on a county central committee shall be filed by a candidate unless:

1. At the time of presentation of the declaration and continuously for not less than three months immediately prior to that time, or for as long as he/she has been eligible to register to vote in the state, the candidate is shown by his/her affidavit of registration to be affiliated with the political party the nomination of which he/she seeks;

and

2. The candidate has not been registered as affiliated with a qualified political party other than that political party the nomination of which he/she seeks within 12 months immediately prior to the filing of the declaration.

The Registrar of Voters shall attach a certificate to the declaration of candidacy showing the date on which the candidate registered as intending to affiliate with the political party the nomination of which he/she seeks, and indicating that the candidate has not been affiliated with any other qualified political party for the 12 month period immediately preceding the filing of the declaration. This section shall not apply to declarations of candidacy filed by a candidate of a political party participating in its first direct primary election subsequent to its qualification as a political party.

GENERAL QUALIFICATIONS - NONPARTISAN OFFICE

(Elections Code Section 8002)

If a candidate is seeking a nonpartisan office, all reference to party affiliation shall be omitted on all required forms.

UNITED STATES SENATOR

QUALIFICATIONS	The candidate shall be at least 30 years of age, a U.S. Citizen for nine years and a resident of California when elected. (U.S. Constitution, Article 1, Sec. 3.3) See Table of Contents for location of "General Qualifications" which apply to this office.		
HOW ELECTED	The candidate with the most votes in each party will face the other parties' candidates (along with qualified write-in and Independent candidates) in the November General Election. In November, the candidate with the most votes will be elected. Over 50% is not required in either election.		
SALARY	\$154,700.00		
FILING FEE	\$3,094 (2% of the salary) Paid at the time the Declaration of Candidacy and Nomination Papers are issued. Cash and credit cards not allowed.		
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Not Permitted		
NUMBER OF NOMINATING SIGNATURES	At least 65 valid signatures, may submit up to 100		
PETITION IN LIEU OF FILING FEE	Party	In Lieu Signatures	Value of Each Signature
	Democratic	10,000	\$.30940
	Republican	10,000	.30940
	American Independent	150	20.62667
	Green	150	20.62667
	Libertarian	150	20.62667
	Natural Law	150	20.62667
	Peace & Freedom	150	20.62667
IMPORTANT DATES	Date	Event	
	September 26 to November 20	Petition in Lieu of Filing Fee	
	November 10 to December 5	Declaration of Candidacy and Nomination Papers	
	November 20 to December 5	Supplemental Filing Period for Petition in Lieu of Filing Fee	
	Please refer to the Election Calendar for other dates.		
	New Term Begins: January 3, 2005 Length of Term: 6 years		

UNITED STATES REPRESENTATIVE IN CONGRESS

QUALIFICATIONS	The candidate shall be at least 25 years of age, a U.S. Citizen for seven years and a resident of California when elected. (U.S. Constitution, Article 1, Sec. 2.2) The candidate is not required to live within the boundaries of the Congressional district. See Table of Contents for location of "General Qualifications" which apply to this office.		
HOW ELECTED	The candidate with the most votes in each party will face the other parties' candidates (along with qualified write-in and Independent candidates) in the November General Election. In November, the candidate with the most votes will be elected. Over 50% is not required in either election.		
SALARY	\$154,700.00		
FILING FEE	\$1,547.00 (1% of the salary) Paid at the time the Declaration of Candidacy and Nomination Papers are issued. Cash and credit cards not allowed.		
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Not permitted		
NUMBER OF NOMINATING SIGNATURES	At least 40 valid signatures, may submit up to 60		
PETITION IN LIEU OF FILING FEE	Party	In Lieu Signatures	Value of Each Signature
	Democratic	3,000	\$.51570
	Republican	3,000	.51570
	American Independent Green	150	10.31333
	49 th District	142	10.89437
	50 th District	150	10.31333
	51 st District	99	15.62626
	52 nd District	150	10.31333
	53 rd District	150	10.31333
	Libertarian		
	49 th District	150	10.31333
	50 th District	150	10.31333
	51 st District	131	11.80916
	52 nd District	150	10.31333
	53 rd District	150	10.31333
	Natural Law		
	49 th District	70	22.10000
	50 th District	137	11.29200
	51 st District	150	10.31333
	52 nd District	150	10.31333
53 rd District	150	10.31333	
Peace & Freedom	49 th District	68	22.75000
	50 th District	75	20.63000
	51 st District	122	12.68000
	52 nd District	77	20.09000
	53 rd District	136	11.38000
IMPORTANT DATES	Date	Event	
	September 26 to November 20	Petition in Lieu of Filing Fee	
	November 10 to December 5	Declaration of Candidacy and Nomination Papers	
	November 20 to December 5	Supplemental Filing Period for Petition in Lieu of Filing Fee	
	Please refer to the Election Calendar for other dates.		
	New Term Begins: January 3, 2005		Length of Term: 2 years

STATE SENATOR

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. (E.C. Sec. 201) The candidate shall not have served more than two terms in the State Senate, since November 3, 1992, if a candidate for State Senate. See Table of Contents for location of "General Qualifications" which apply to this office.		
HOW ELECTED	The candidate with the most votes in each party will face the other parties' candidates (along with qualified write-in and Independent candidates) in the November General Election. In November, the candidate with the most votes will be elected. Over 50% is not required in either election.		
SALARY	\$99,000.00		
FILING FEE	\$990.00 (1% of the salary) Paid when the Declaration of Intention is returned for filing.	Cash and credit cards are not allowed.	
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Please see the explanation and costs on Page 48.		
NUMBER OF NOMINATING SIGNATURES	At least 40 valid signatures, may submit up to 60		
PETITIONS IN LIEU OF FILING FEE	Party	In Lieu Signatures	Value of Each Signature
	Democratic	3,000	\$.33
	Republican	3,000	.33
	American Independent	150	6.60
	Green	150	6.60
	Libertarian	150	6.60
	Natural Law	150	6.60
	Peace & Freedom	150	6.60
IMPORTANT DATES	Date	Event	
	September 26 to November 5	Petitions in Lieu of Filing Fee	
	October 27 to November 5	Declaration of Intention	
	November 6 to November 10	Declaration of Intention – *Extension for other than incumbent	
	November 10 to December 5	Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications (if permitted)	
	November 6 to December 5	Supplemental Filing Period for Petitions in Lieu of Filing Fee	
	December 6 to December 10	Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications (if permitted) - *Extension for other than incumbent, if incumbent fails to file by December 5 (This is applicable only if there was not a 5-day extension period after the Declaration of Intention filing period.)	
	*Note: Extension does not apply in the 39 th District because the incumbent is prevented from seeking re-election due to term limits. Please refer to the Election Calendar for other dates.		
New Term Begins: December 6, 2004 Length of Term: 4 years			

STATE ASSEMBLY

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. (E.C. Sec. 201) The candidate shall not have served more than three terms in the State Assembly, since November 3, 1992, if a candidate for State Assembly. See Table of Contents for location of "General Qualifications" which apply to this office.									
HOW ELECTED	The candidate with the most votes in each party will face the other parties' candidates (along with qualified write-in and Independent candidates) in the November General Election. In November, the candidate with the most votes will be elected. Over 50% is not required in either election.									
SALARY	\$99,000.00									
FILING FEE	\$990.00 (1% of the salary) Paid when the Declaration of Intention is returned for filing.							Cash and credit cards are not allowed.		
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Please see the explanation and costs on Page 48.									
NUMBER OF NOMINATING SIGNATURES	At least 40 valid signatures, may submit up to 60									
PETITION IN LIEU OF FILING FEE	Party		In Lieu Signatures				Value of Each Signature			
	Democratic		1,500				\$.66			
	Republican		1,500				.66			
	American Independent		150				6.60			
	DISTRICT	Green		Libertarian		Natural Law		Peace & Freedom		
		Sigs Needed	Value	Sigs Needed	Value	Sigs Needed	Value	Sigs Needed	Value	
	66 th	73	\$13.56164	121	\$8.18182	35	\$28.28571	56	\$17.67857	
	73 rd	118	8.38983	150	6.60000	49	20.20408	41	24.14634	
	74 th	150	6.60000	150	6.60000	83	11.92771	51	19.41176	
	75 th	138	7.17390	150	6.60000	83	11.92771	40	24.75000	
76 th	150	6.60000	150	6.60000	150	6.60000	80	12.37500		
77 th	131	7.55725	150	6.60000	130	7.61538	54	18.33333		
78 th	131	7.55725	143	6.92300	150	6.60000	82	12.07317		
79 th	84	11.78571	94	10.53191	150	6.60000	93	10.64516		
IMPORTANT DATES	Date		Event							
	September 26 to November 5		Petitions in Lieu of Filing Fee							
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	*Extension does not apply in districts where the incumbent is prevented from seeking re-election due to term limits.									
	Please refer to the Election Calendar for other dates.									
	New Term Begins: December 6, 2004					Length of Term: 2 years				

COUNTY CENTRAL COMMITTEE/COUNTY COUNCIL

QUALIFICATIONS	<p>The candidate shall be a registered voter of the party and a resident of the district. (E.C. Sec. 201, 7209, 7407, 7654, 7852)</p> <p>See Table of Contents for location of "General Qualifications" which apply to this office.</p>																
HOW ELECTED	<p>The candidates receiving the highest number of votes (up to the number of members to be elected from each district) will be elected to that party's' County Central Committee. There is no run-off in the November General Election.</p> <table> <tr> <th>Party</th><th>Number to be Elected</th></tr> <tr> <td>Democratic</td><td>Six members elected from each Assembly District</td></tr> <tr> <td>Republican</td><td>Six members elected from each Assembly District</td></tr> <tr> <td>*American Independent</td><td>Members elected from each Assembly District</td></tr> <tr> <td>*Green</td><td>Members elected at-large throughout the county. Office is "County Council"; not "Central Committee"</td></tr> <tr> <td>*Libertarian</td><td>Members elected from each Supervisorial District</td></tr> <tr> <td>*Natural Law</td><td>Members elected from each Supervisorial District</td></tr> <tr> <td>*Reform</td><td>Members elected from each Supervisorial District. Office is "County Council"; not "Central Committee"</td></tr> </table> <p>*The number of members to be elected will be calculated by the Secretary of State based on the official Report of Registration for October 2003. These figures were not available at the time of printing this Guide. Please ask for details.</p>	Party	Number to be Elected	Democratic	Six members elected from each Assembly District	Republican	Six members elected from each Assembly District	*American Independent	Members elected from each Assembly District	*Green	Members elected at-large throughout the county. Office is "County Council"; not "Central Committee"	*Libertarian	Members elected from each Supervisorial District	*Natural Law	Members elected from each Supervisorial District	*Reform	Members elected from each Supervisorial District. Office is "County Council"; not "Central Committee"
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*Natural Law	Members elected from each Supervisorial District																
*Reform	Members elected from each Supervisorial District. Office is "County Council"; not "Central Committee"																
SALARY	None																
FILING FEE	None																
CANDIDATE'S STATEMENT OF QUALIFICATIONS	Not permitted																
NUMBER OF NOMINATING SIGNATURES	At least 20 valid signatures, may submit up to 40																
PETITION IN LIEU OF FILING FEE	N/A																
IMPORTANT DATES	<table> <tr> <th>Date</th><th>Event</th></tr> <tr> <td>November 10 to December 5</td><td>Declaration of Candidacy and Nomination Papers</td></tr> </table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: (Varies by Party) Length of Term: 2 years</p>	Date	Event	November 10 to December 5	Declaration of Candidacy and Nomination Papers												
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November 10 to December 5	Declaration of Candidacy and Nomination Papers																

JUDGE OF THE SUPERIOR COURT

QUALIFICATIONS	Citizen of the United States; registered voter; member of the State Bar for ten years or have served as a judge of a California court of record for ten years immediately preceding the election. (Cal. Constitution, Article VI, Sec. 15) See Table of Contents for location of "General Qualifications" which apply to this office.															
HOW ELECTED	The names of unopposed judicial incumbents do not appear on the March Primary Election ballot and they will be declared elected after the November General Election. For a contested office, the candidates' names will appear on the March Primary Election ballot. If one candidate receives over 50%, he/she shall be elected in the Primary. If no one receives over 50%, the top two candidates will run off in the November General Election.															
SALARY	\$139,784															
FILING FEE	\$1,397.84 (1% of the salary) Paid when the Declaration of Intention is returned for filing.	Cash and credit cards are not allowed.														
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$6,550.00 (200 words)															
NUMBER OF NOMINATING SIGNATURES	At least 20 valid signatures, may submit up to 40															
PETITION IN LIEU OF FILING FEE	Signatures Required: 5,592 Value per Signature: \$.25 Any portion of the signatures may be collected; they will be pro-rated at the value shown.															
IMPORTANT DATES	<table><thead><tr><th>Date</th><th>Event</th></tr></thead><tbody><tr><td>September 26 to November 5</td><td>Petition in Lieu of Filing Fee</td></tr><tr><td>October 27 to November 5</td><td>Declaration of Intention</td></tr><tr><td>November 6 to November 10</td><td>Declaration of Intention - Extension for other than incumbent, if incumbent has not filed by November 5</td></tr><tr><td>November 10 to December 5</td><td>Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications</td></tr><tr><td>November 6 to December 10</td><td>Supplemental Filing Period for Petition in Lieu of Filing Fee</td></tr><tr><td>December 6 to December 10</td><td>Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications - Extension for other than incumbent, if incumbent fails to file by December 5. (This is applicable only if there was not a 5-day extension period after the Declaration of Intention filing period.)</td></tr></tbody></table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: January 4, 2005 Length of Term: 6 years</p>		Date	Event	September 26 to November 5	Petition in Lieu of Filing Fee	October 27 to November 5	Declaration of Intention	November 6 to November 10	Declaration of Intention - Extension for other than incumbent, if incumbent has not filed by November 5	November 10 to December 5	Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications	November 6 to December 10	Supplemental Filing Period for Petition in Lieu of Filing Fee	December 6 to December 10	Declaration of Candidacy, Nomination Papers, Statement of Economic Interest and Statement of Qualifications - Extension for other than incumbent, if incumbent fails to file by December 5. (This is applicable only if there was not a 5-day extension period after the Declaration of Intention filing period.)
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SAN DIEGO COUNTY BOARD OF SUPERVISORS

QUALIFICATIONS	The candidate shall be a U.S. citizen and a registered voter of the district which he/she seeks to represent for at least 30 days immediately preceding the deadline for filing nomination documents for the office of supervisor, and shall reside in the district during his/her incumbency. (Gov. Code Sec. 25041) See Table of Contents for location of "General Qualifications" which apply to this office.											
HOW ELECTED	A candidate who receives a majority (over 50%) of all votes in the March Primary Election is elected. When no candidate is so elected, the two candidates who receive the highest number of votes in the primary are the candidates in the November General Election, and the one who receives the higher number of votes in the General Election is elected. In the event there are no more than two candidates for one office, the office shall be voted upon at the Primary Election. (San Diego County Charter Sec. 401.3) Each member of the board of supervisors shall be elected by the district which he/she represents and not at-large. (Gov. Code Sec. 25040)											
SALARY	\$111,827.20											
FILING FEE	\$1,118.27 (1% of the salary) Paid when the Declaration of Candidacy and Nomination Papers are issued.	Cash and credit cards are not allowed.										
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$1,310.00 (200 words)											
NUMBER OF NOMINATING SIGNATURES	At least 20 valid signatures, may submit up to 40											
PETITION IN LIEU OF FILING FEE	Signatures Required: 4,474 Value per Signature: \$.25 Any portion of the signatures may be collected; they will be pro-rated at the value shown.											
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SAN DIEGO COUNTY BOARD OF EDUCATION

QUALIFICATIONS	Any registered voter is eligible to be a member of the county board of education except the county superintendent of schools, any member of his/her staff, or any employee of a school district. Each member of the board shall be an elector of the trustee area which he/she represents and shall be elected by the electors of the trustee area. (Ed. Code Sec. 1000, 1006) See Table of Contents for location of "General Qualifications" which apply to this office.							
HOW ELECTED	A candidate who receives a majority of all votes in the March Primary Election is elected. When no candidate is so elected, the two candidates who receive the highest number of votes in the primary are the candidates in the November General Election, and the one who receives the higher number of votes in the General Election is elected. In the event there are no more than two candidates for one office, the office shall be voted upon at the Primary Election. (San Diego County Charter Sec. 401.3)							
SALARY	\$4,800.00							
FILING FEE	None							
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$1,310.00 (200 words) Cash and credit cards are not allowed.							
NUMBER OF NOMINATING SIGNATURES	At least 20 valid signatures, may submit up to 40							
PETITION IN LIEU OF FILING FEE	N/A							
IMPORTANT DATES	<table><thead><tr><th>Date</th><th>Event</th></tr></thead><tbody><tr><td>November 10 to December 5</td><td>Declaration of Candidacy, Nomination Papers and Statement of Qualifications</td></tr><tr><td>December 6 to December 10</td><td>Declaration of Candidacy, Nomination Papers and Statement of Qualifications - Extension for other than incumbent, if incumbent fails to file by December 5</td></tr></tbody></table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: January 3, 2005 Length of Term: 4 years</p>		Date	Event	November 10 to December 5	Declaration of Candidacy, Nomination Papers and Statement of Qualifications	December 6 to December 10	Declaration of Candidacy, Nomination Papers and Statement of Qualifications - Extension for other than incumbent, if incumbent fails to file by December 5
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SAN DIEGO COMMUNITY COLLEGE DISTRICT

QUALIFICATIONS	Any person, regardless of sex, who is 18 years of age or older, a citizen of the state, a resident of the community college district, a registered voter, and who is not disqualified by the Constitution or laws of the state from holding a civil office, is eligible to be elected or appointed a member of a governing board of a community college district. (Ed. Code Sec. 72103a) An employee of a community college district may not be sworn into office as an elected or appointed member of that community college district's governing board unless and until he/she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. (Ed. Code Sec. 72103b) . . . A candidate for election as a member of the governing board shall reside in, and be registered to vote in, the trustee area he/she seeks to represent. (Ed. Code Sec. 72035b) See Table of Contents for location of "General Qualifications" which apply to this office.										
HOW ELECTED	The names of the candidates appear on the ballot for the March Primary Election in the candidate's home district. The two candidates receiving the highest number of votes in each home district will have their names placed on the November General Election ballot to be elected by the voters of the entire district.										
SALARY	\$9,450.00										
FILING FEE	None										
CANDIDATE'S STATEMENT OF QUALIFICATIONS	District B District D	\$1,080.00 930.00	(400 words) (400 words) Cash and credit cards are not allowed								
NUMBER OF NOMINATING SIGNATURES	None										
PETITION IN LIEU OF FILING FEE	N/A										
IMPORTANT DATES	<table><tr><th>Date</th><th>Event</th></tr><tr><td>November 10 to December 5</td><td>Declaration of Candidacy</td></tr><tr><td>December 6 to December 10</td><td>Declaration of Candidacy</td></tr><tr><td></td><td>Extension for other than incumbent, if incumbent fails to file by December 10</td></tr></table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: December 6, 2004 Length of Term: 4 years</p>			Date	Event	November 10 to December 5	Declaration of Candidacy	December 6 to December 10	Declaration of Candidacy		Extension for other than incumbent, if incumbent fails to file by December 10
Date	Event										
November 10 to December 5	Declaration of Candidacy										
December 6 to December 10	Declaration of Candidacy										
	Extension for other than incumbent, if incumbent fails to file by December 10										

SAN DIEGO UNIFIED SCHOOL DISTRICT

QUALIFICATIONS	<p>. . .Each candidate shall have been a registered voter of the district and an actual resident of the election district from which he/she seeks to be nominated for thirty (30) days immediately preceding filing a nominating petition . . . (San Diego City Charter Sec. 66)</p> <p>See Table of Contents for location of "General Qualifications" which apply to this office.</p>								
HOW ELECTED	<p>The names of the candidates appear on the ballot for the March Primary Election in the candidate's home district. The two candidates receiving the highest number of votes in each home district will have their names placed on the November General Election ballot to be elected by the voters of the entire district.</p>								
SALARY	\$18,000.00								
FILING FEE	\$200.00 Paid when the Statement and Affidavit of Nominee and Nomination Papers are returned.		Cash and credit cards are not allowed.						
CANDIDATE'S STATEMENT OF QUALIFICATIONS	\$1,095.00 (200 words) <u>80.00</u> (optional photograph) \$1,175.00 (Total, if photograph is included) See "Format Exceptions" on Page ____								
NUMBER OF NOMINATING SIGNATURES	At least 200 valid signatures								
SIGNATURES IN LIEU OF FILING FEE	Signatures Required: 800 Value per Signature: \$.25								
IMPORTANT DATES	<table><thead><tr><th>Date</th><th>Event</th></tr></thead><tbody><tr><td>November 10 to December 5</td><td>Statement and Affidavit of Nominee, Nomination Papers and Signatures in Lieu of Filing Fee. (Supplemental filing of Petition in Lieu of Filing Fee is <u>not permitted.</u>)</td></tr><tr><td>December 6 to December 10</td><td>Statement and Affidavit of Nominee and Nomination Papers - Extension for other than incumbent, if incumbent fails to file by December 10</td></tr></tbody></table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: December 6, 2004 Length of Term: 4 years</p>			Date	Event	November 10 to December 5	Statement and Affidavit of Nominee, Nomination Papers and Signatures in Lieu of Filing Fee. (Supplemental filing of Petition in Lieu of Filing Fee is <u>not permitted.</u>)	December 6 to December 10	Statement and Affidavit of Nominee and Nomination Papers - Extension for other than incumbent, if incumbent fails to file by December 10
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December 6 to December 10	Statement and Affidavit of Nominee and Nomination Papers - Extension for other than incumbent, if incumbent fails to file by December 10								

PETITIONS IN LIEU OF FILING FEE

*MOST OFFICES

(Elections Code Section 8106)

***San Diego Unified School District** candidates, please see separate instructions.

PURPOSE	Signatures may be obtained on petitions (provided by the Registrar of Voters) to be counted toward payment of all, or any portion, of the filing fee.
WHEN/WHERE AVAILABLE	Petition in lieu of filing fee forms may be obtained from the Registrar of Voters Office, beginning Friday, September 26, 2003 . Office hours: Monday through Friday, 8 a.m. to 5 p.m., excluding holidays.
FILING PERIOD	<p><u>Partisan and Independent</u> Candidates for State Senate and State Assembly, plus Superior Court</p> <p><u>September 26 through November 5, 2003:</u> Petition in lieu signatures and/or filing fee for these offices must be submitted when the Declaration of Intention is <u>filed</u> (returned).</p> <p>Exception - If an incumbent fails to file a Declaration of Intention by 5 p.m. on November 5, 2003, the deadline is extended until November 10. Extension does not apply to incumbents, or for offices in which the incumbent is prohibited from seeking re-election due to term limits.</p> <p>U.S. Senate, Congress, and Board of Supervisors</p> <p><u>September 26 through November 20, 2003:</u> Petition in lieu signatures and/or filing fee must be submitted at the time Nomination Papers <u>are obtained</u>. The nomination period ends December 5, but the in lieu signatures must be filed earlier to allow for the verification process.)</p>
WHEN SIGNATURES CAN BE COLLECTED	<p>Signatures in lieu to be used as payment to offset the filing fee can be collected beginning September 26, 2003 and must be filed by the deadlines shown above.</p> <p>After obtaining the petitions to collect signatures in lieu of the filing fee, a candidate may decide later not to submit any petitions in lieu, but to just pay the entire filing fee by check. In that case, any signatures collected prior to November 10, 2003 (which is the first day of the nomination period) may not be used toward the nomination signatures (as explained in "General Information" on the next page).</p>
WHO CAN OBTAIN FORMS	The candidate or his/her representative (with <u>written</u> authorization), must appear at the Registrar of Voters Office to obtain the forms. The forms will not be mailed. (See "Nomination Process" section of this Guide for an explanation/description of the "Authorization" form.)
QUANTITY ISSUED	The forms (available at no charge) will have space for the number of signatures needed to pay the full filing fee. If more forms are desired, a "master form" will be provided for additional copies to be printed at the candidate's expense.
WHO CAN CIRCULATE	<p>Elections Code Sec. 8106(b)(4) states that ". . .each circulator of an in-lieu-filing-fee petition shall be a registered voter of the district or political subdivision in which the candidate is to be elected."</p> <p>However, based on court rulings and administrative decisions, the policy of the San Diego County Registrar of Voters is to accept for filing any petition in which the "Affidavit of Circulator" portion of a petition (including dates) is completed. The circulator's status as a voter is not determined before verifying the signers' signatures. (if you are circulating signatures in more than one county, please check with those elections officials to determine their policy.)</p> <p>Any number of qualified people may circulate petitions for a candidate. However, each form can have only one circulator, as the person must sign that he/she witnessed all signatures on the form. A candidate may circulate his/her own petition.</p>
APPOINTMENT OF CIRCULATOR	The " <u>Appointment</u> of Circulator" form used by the candidate to authorize others to collect signatures is no longer required . However, the " <u>Affidavit</u> of Circulator" on each petition must be completed by the circulator.

PETITIONS IN LIEU OF FILING FEE (Continued)

(Elections Code Section 8106)

INITIAL/ SUPPLEMENTAL FILING	<p>For the initial filing (whether during the <i>Intention</i> or <i>Nomination</i> period), all petitions in lieu must be submitted at one time. After the verification process (and before December 5), supplemental signatures may be filed to make up any deficiency from the initial filing.</p> <p>Example:</p> <p>1,500 signatures required</p> <p>1,200 signatures submitted with Dec. of Intention by Nov. 5 (along with either 1) a pro-rata portion of, or 2) the entire filing fee)</p> <p>1,000 valid signatures after verification process</p> <p>200 additional signatures that may count towards filing fee, if submitted by Dec. 5 (More than 200 may be submitted, but verification will stop when 200 are found to be valid.)</p>
NUMBER OF SIGNATURES	Please see chart on a separate page.
PETITION SIGNERS	<p><u>Nonpartisan</u> candidates: Signers may be registered to vote with <u>any party</u>, but must reside within the candidate's jurisdiction.</p> <p><u>Democratic or Republican</u> candidates: Signers must be registered to vote with either the candidate's own party or as a decline to state (nonpartisan) voter and must reside within the candidate's jurisdiction.</p> <p><u>American Independent, Green, Libertarian, Natural Law, and Peace & Freedom</u> candidates: Signers must be the <u>same party</u> as the candidate and reside within the candidate's jurisdiction.</p> <p>Each signer of the petition must write his/her signature and shall include his/her printed name and place of residence (number, street, city) in the presence of the circulator.</p> <p>If a voter signs more than one candidate's petition, the signature shall be valid only on the petition filed first.</p> <p>All signers of the same section of a petition must be registered in one county. Different sections must be used in each county where the petitions are circulated and then filed with the Registrar of Voters/County Clerk in the affected county.</p> <p>A circulator may also be a signer on the petition he/she is circulating, if otherwise qualified. No petition or paper may be signed within 100 feet of any election booth or polling place.</p>
GENERAL INFORMATION	<p>Candidates are encouraged to pay the entire filing fee by check, in addition to submitting the petitions in lieu, at the required time. The money will be put into a Trust Account and, after the close of the nomination period, candidates will receive a refund for all valid signatures (up to the number required).</p> <p>The initial petitions must be filed all at one time. (More than the minimum number required should be submitted, as some may be invalid.) The Registrar of Voters has 10 days in which to verify the signatures and notify the candidate. The candidate then has until December 5 to submit supplemental signatures to make up the deficiency; or to pay the difference by check (if not already paid). During the supplemental filing period signatures may be submitted in increments or all at once, on or before December 5.</p> <p>Signatures on a petition in lieu shall be counted toward the number of voters required to sign nomination papers, if they are submitted during the petition in lieu period. If a petition in lieu contains a requisite number of valid signatures, the candidate shall not be required to file nomination signatures, but may request the Registrar of Voters to accept the petition in lieu instead of filing a nomination petition.</p>

NOTICE

All candidates must file a Declaration of Candidacy between November 10 and December 5 even if the petitions in lieu contain a sufficient number of signatures to count toward the nomination signatures.

SIGNATURES IN LIEU OF FILING FEE

SAN DIEGO UNIFIED SCHOOL DISTRICT

PURPOSE	Signatures may be obtained on nominating petitions (provided by the Registrar of Voters) to be counted toward payment of all, or any portion, of the filing fee.
WHEN/WHERE AVAILABLE	Nominating petitions may be obtained <u>only</u> from the Registrar of Voters Office, beginning Monday, November 10 . Office hours: Monday through Friday, 8 a.m. to 5 p.m., excluding holidays.
FILING PERIOD	<u>November 10</u> : First day petitions may be issued <u>December 5</u> : Last day petitions may be filed by a candidate. Supplemental petitions in lieu are not allowed.
WHO CAN OBTAIN FORMS	Candidates seeking nomination . . . shall appear personally . . . unless service with the United States Armed Forces or a physical disability prevents such an appearance.
QUANTITY ISSUED	The forms (available at no charge) will have space for the number of signatures needed to pay the full filing fee. If more forms are desired, a "master form" will be provided for additional copies to be printed at the candidate's expense.
WHO CAN CIRCULATE	Elections code sec. 8106(b)(4) states that ". . . each circulator of an in-lieu-filing-fee petition shall be a registered voter of the district or political subdivision in which the candidate is to be elected." However, based on court rulings and administrative decisions, the policy of the San Diego County Registrar of Voters is to accept for filing any petition in which the "affidavit of circulator" portion of a petition (including dates) is completed. The circulator's status as a voter is not determined before verifying the signers' signatures. (if you are circulating signatures in more than one county, please check with those elections officials to determine their policy.) Any number of qualified people may circulate petitions for a candidate. However, each form can have only one circulator, as the person must sign that he/she witnessed all signatures on the form. A candidate may circulate his/her own petition.
NUMBER OF SIGNATURES	800 valid signatures to offset the entire \$200 fee. If less than 800 are valid, they will be pro-rated at a value of \$.25 each.
PETITION SIGNERS	Only voters within the home district of the candidate may sign the petitions. All persons signing petitions must be registered voters for a period of at least thirty (30) days at the time they sign such petitions. Each signer of the petition must write his/her signature and shall include his/her printed name and place of residence (number, street, city) in the presence of the circulator. If a voter signs more than one petition within the same district the signature shall count only for the first petition filed. A circulator may also be a signer on the petition he/she is circulating, if otherwise qualified. No petition or paper may be signed within 100 feet of any election booth or polling place.
GENERAL INFORMATION	A candidate who has decided to submit signatures in lieu of the filing fee may insure that his/her name will appear on the ballot by depositing \$200 (check only, not cash) at the time of taking out or filing the petition. The candidate will be reimbursed up to the deposited amount of the fee, based on the total value of valid signatures. All signatures shall be filed at the same time. No supplemental petitions shall be filed. The Registrar of Voters shall be allowed a period of ten days after the filing of a petition to examine and verify the signatures.

DECLARATION OF INTENTION

STATE SENATE, STATE ASSEMBLY, AND SUPERIOR COURT

FILING FEE/ PETITION IN LIEU OF FILING FEE	The filing fee and/or petition in lieu of filing fee must be submitted at the time the candidate's declaration of intention is filed. The filing fee is <u>nonrefundable</u> . (E.C. Sec. 8105)
FILING PERIOD	October 27 to November 5 Each candidate for nomination for State Senate, State Assembly or Superior Court at the direct primary election shall file a written and signed declaration of his/her intention to become a candidate for nomination for that office. The declaration of intention shall be filed with either the Secretary of State or the Registrar of Voters of the county in which the candidate is a resident. The declaration of intention shall be filed, on a form to be supplied by the Registrar of Voters, not more than 14 nor less than 5 days prior to the first day on which nomination documents may be presented for filing. (E.C. Sec. 8022, 8023)
EXTENSION IF INCUMBENT FAILS TO FILE DECLARATION OF INTENTION	November 6 to November 10 If the incumbent fails to file a declaration of intention by November 5, persons other than the incumbent may file declarations of intention no later than the first day for filing nomination documents. However, if the incumbent's failure to file a declaration of intention is because he/she has already served the maximum number of terms permitted by the California Constitution for that office, there shall be no extension of the period for filing the declaration of intention. (E.C. Sec. 8022, 8023)
EXTENSION IF INCUMBENT FAILS TO FILE NOMINATION DOCUMENTS	December 6 to December 10 No person may be a candidate nor have his/her name printed upon any ballot as a candidate for State Senate, State Assembly or Superior Court at the direct primary election unless he/she has filed a declaration of intention; provided, however, that if the incumbent of the office files a declaration of intention, but for any reason fails to qualify for nomination for the office by December 5, an additional five days shall be allowed for the filing of nomination papers for the office, and any person, if otherwise qualified, may file nomination documents for the office during the extended filing period (until December 10), notwithstanding that he/she has not filed a written and signed declaration of intention to become a candidate for the office. (E.C. Sec. 8022, 8024)
NUMERICAL DESIGNATION OF JUDICIAL OFFICES	In any election at which two or more judges are to be voted for or elected for the same term, it shall be deemed that there are as many separate judicial offices to be filled as there are judges of the court to be elected. Each separate office shall be designated by a distinguishing number not greater than the total number of offices. The designation shall remain the same for all purposes of both primary and general election and shall be used on all nomination documents, certificates of nomination, ballots, certificates of election and all election papers referring to the office. After the election, and the issuance of the certificates of election, the designating number shall have no further significance. (E.C. Sec. 8200) A candidate for a numerically designated judicial office shall state in his/her declaration for which office he/she intends to become a candidate. (E.C. Sec. 8023) The numerically designated offices shall be grouped and arranged on all ballots in numerical order. No person may be a candidate nor have his/her name printed upon any ballot as a candidate for any numerically designated office other than the one indicated by him/her in the declaration of intention to become a candidate. (E.C. Sec. 8202)

NOMINATION PROCESS

All candidates desiring to have their name placed on the ballot are required to complete the nomination process whether or not they have filed a Declaration of Intention and/or submitted petitions in lieu of the filing fee

The filing fee and/or petitions in lieu of filing fee must be submitted when the nomination papers are obtained (if not already paid by candidates required to file a Declaration of Intention). The filing fee is **nonrefundable**. (E.C. Sec. 8105)

WHERE TO OBTAIN DOCUMENTS	The nomination documents may be obtained <u>only</u> from the Registrar of Voters Office. The filing fee must be paid at the appropriate time (varies by office), as shown on the individual page for each office. Cash and credit cards not allowed.
NOMINATION PERIOD	<p>November 10 to November 20 Nomination documents must be <u>obtained</u> between these dates if any portion of the filing fee is to be paid with <u>petitions in lieu of filing fee</u>. (E.C. Sec. 8106) (San Diego Unified School District candidates, see "Note" below.)</p> <p>November 10 to December 5 Nomination documents may be <u>obtained</u> between these dates if the filing fee: 1. was paid during the Declaration of Intention period (State Senate, State Assembly or Superior Court); or 2. is to be paid by <u>check only</u> (no initial petitions in lieu will be accepted after November 20). (E.C. Sec. 8020, 8105)</p> <p>Note: San Diego Unified candidates may obtain and file nomination documents between November 10 to December 5, as signatures in lieu are filed when nomination documents are <u>returned</u>. The filing fee must be submitted when the nomination documents are <u>filed</u> (returned). See separate page regarding signatures in lieu for this district.</p> <p>November 20 Last day to <u>file</u> (return) petitions in lieu of filing fee, except candidates for San Diego Unified School District. (See "Note" above.)</p> <p>December 5 Last day to <u>file</u> (return) nomination documents. (Must be RECEIVED in the office of the Registrar of Voters by 5 p.m. A postmark is NOT acceptable.) (E.C. Sec. 8020)</p> <p>December 10 If the incumbent has failed to file by 5 p.m. December 5, any person other than the person who was the incumbent on the 88th day (December 5) shall have until 5 p.m. on the 83rd day (December 10) before the election to file nomination documents for the elective office. This section is not applicable where there is no incumbent eligible to be elected. (E.C. Sec. 8024)</p> <p>The extension DOES NOT apply to candidates for Congress, County Central Committee, or to an incumbent for any office. Extension also does not apply to offices in which the incumbent is prohibited from seeking re-election due to term limits.</p>
AUTHORIZATION FOR CANDIDATE'S REPRESENTATIVE	<p>The Authorization for Candidate's Representative is a document on which the candidate may authorize another person to act as his/her representative to obtain the required nomination documents. The candidate may use the Registrar of Voters authorization from or prepare their own as long as the following information is provided: name, residence address, phone number, office sought, party affiliation (for partisan office), person(s) authorized, and language indicating that the candidate is aware that the nomination documents must be completed and filed no later than December 5. (Declaration of Intention for State Senate, State Assembly and Superior Court must be filed no later than November 5.) (E.C. Sec. 8028)</p> <p>Candidate for San Diego Unified School District shall appear personally to sign the nominating papers unless service with the United States Armed Forces or a physical disability prevents such an appearance. (San Diego Municipal Code Sec. 27.0203)</p>

DOCUMENTS ISSUED

PETITIONS IN LIEU OF FILING FEE	The document on which a candidate obtains signatures to reduce (or eliminate) the filing fee. (<i>E.C. Sec. 8106</i>)
DECLARATION OF INTENTION	The document on which candidates for State Senate, State Assembly and Superior Court declare their intention to seek the office. (Not required of other offices.) (<i>E.C. Sec. 8022, 8023</i>)
DECLARATION OF CANDIDACY	The document on which the candidate: <ol style="list-style-type: none"> 1. Declares himself/herself a candidate for a particular office and party affiliation (if applicable), 2. Provides his/her name and occupational designation as to appear on the ballot, 3. Provides his/her address and phone number, and 4. States he/she is qualified and, if nominated, will not withdraw. (<i>E.C. Sec. 8040</i>)
STATEMENT AND AFFIDAVIT OF NOMINEE	This document is required of candidates for San Diego Unified School District only . It shall state the name of the candidate, his/her current residence, his/her past residences for a period of four years, date and place of birth, the office for which he/she seeks nomination, the term for which he/she is running, his/her occupation, a written acceptance of the nomination and the manner in which he/she wishes his/her name to appear. (<i>San Diego Municipal Code Sec. 27.0205, 27.0206</i>)
<u>NOTICE</u> THE REGISTRAR OF VOTERS OFFICE HAS COMPUTER TERMINALS AVAILABLE FOR THE PUBLIC TO USE TO VERIFY PETITION SIGNATURES BEFORE THE PETITIONS ARE FILED. THIS MAY HELP TO ASSURE SUFFICIENT VALID SIGNATURES ARE FILED.	
NOMINATION PAPER	<p>The document on which a circulator obtains nominating signatures for the candidate. (<i>E.C. Sec. 8041, San Diego Municipal Code Sec. 27.0207</i>)</p> <p>Signer Qualifications Signers shall be voters in the district or political subdivision in which the candidate is to be voted on and shall be affiliated with the party, if any, in which the nomination is proposed. (<i>E.C. Sec. 8068</i>) No signer shall, at the time of signing a certificate, have his/her name signed to any other nomination paper for any other candidate for the same office or, in case there are several places to be filled in the same office, signed to more nomination papers for candidates for that office than there are places to be filled. (<i>E.C. Sec. 8069</i>) Signers for candidates in San Diego Unified School District must be registered voters within the candidate's home district for a period of 30 days at the time of signing nomination documents. (<i>San Diego Municipal Code Sec. 27.0210</i>)</p> <p>Number of Signatures Required (Please see separate page for each office.)</p> <p>San Diego Unified School District No signature used to determine the sufficiency of the nominating petition may be used for the purpose of reducing the nominating fee. (<i>San Diego Municipal Code Sec. 27.0221</i>)</p> <p>Petitions in Lieu of Filing Fee May Count as Nominating Signatures Note: The following two paragraphs DO NOT apply to San Diego Unified School District because petitions in lieu shall not count toward nomination signatures. If a candidate submits petitions in lieu of the filing fee pursuant to Section 8106, any or all signatures appearing on the petitions which would be valid under Section 8041, shall be counted towards the number of voters required to sign a nomination paper. If the in lieu of filing fee petitions contain a requisite number of valid signatures under Section 8062, the candidate shall not be required to file a nomination petition, but may request the Registrar of Voters to accept the signatures in lieu instead of filing nomination signatures. (Continued on the next page)</p>

DOCUMENTS ISSUED (Continued)

NOMINATION PAPER (Continued)	<p>Petitions in Lieu of Filing Fee May Count as Nominating Signatures (Continued) If an in lieu of filing fee petition does not contain the requisite number of valid signatures as set forth in Section 8062, the candidate shall be entitled to file, within the time period allowed for filing nomination papers, a nomination petition in order to obtain the requisite number of valid signatures required to be submitted to the Registrar of Voters on a nomination petition. A candidate who submits a nomination petition pursuant to this paragraph shall only be required to obtain the number of signatures thereon needed to supplement the petitions in lieu of the filing fee so that the combination of signatures appearing on the in lieu of filing fee petition and the nomination petition equals or exceeds the requisite number of signatures set forth in Section 8062. <i>(E.C. Sec. 8061)</i></p> <p>Circulator Qualifications The candidate may circulate his/her own nomination paper or he/she may allow circulators to secure signatures on his/her behalf. <i>(E.C. Sec. 8065)</i> Circulators shall be voters in the district or political subdivision in which the candidate is to be voted on and shall serve in that district or political subdivision. <i>(E.C. Sec. 8066)</i> The circulator, if otherwise qualified, may sign a nomination paper. <i>(E.C. Sec. 106)</i> The "Appointment of Circulator" form is no longer required. (Ch. 790, 1999) Note: Circulators for San Diego Unified School District candidates must be registered voters within the entire district, not necessarily the candidate's home district.</p>
CODE OF FAIR CAMPAIGN PRACTICES	<p>A <u>voluntary</u> document a candidate may sign and file with the Registrar of Voters. As stated in Elections Code Sec. 20400, "The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions".</p>
FINANCIAL FORMS	<p>Please follow instructions given in the manuals and forms provided by the Financial and Campaign Disclosure Section of the Registrar of Voters Office.</p>
CANDIDATE'S STATEMENT OF QUALIFICATIONS	<p>The document on which a candidate may write a statement to be mailed to the voters. The statement will be included in the San Diego County Sample Ballot & Voter Information Pamphlet. Please see the instructions in a separate section of this guide and the costs on the information page for each office. <i>(E.C. Sec. 13307)</i></p> <p>A statement <u>IS ALLOWED</u> for:</p> <ul style="list-style-type: none"> ♦ State Senate & State Assembly (see separate instructions & costs for each county) ♦ Superior Court ♦ County Offices ♦ Board of Supervisors ♦ Board of Education ♦ San Diego Community College ♦ San Diego Unified School ♦ Incorporated Cities <p>A statement is <u>NOT ALLOWED</u> in the local sample ballot pamphlet for:</p> <ul style="list-style-type: none"> ♦ United State Senator ♦ Representative in Congress ♦ County Central Committee
<p style="text-align: center;">Instructions and a recent court opinion affecting the contents of a candidate statement begin on Page 50.</p>	

*CODE OF FAIR CAMPAIGN PRACTICES

Candidate's Name: _____

Office Title: _____

Election Date: _____

Elections Code Sec. 20440. There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Date: _____

Candidate's Signature

*This form is **voluntary**. If you choose to file this, please read both sides carefully before signing.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

as found in Chapter 5 of Division 20 of the California Elections Code

Chapter 5. Fair Campaign Practices

Article 1. General Intent

20400. Intent of legislature.

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions¹

20420. Definition of "Code".

As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. Subscription to code; form.

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee. The text of the code shall read, as follows: (SEE REVERSE SIDE.)

20441. Supply of forms.

The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. Retention of forms; public inspection.

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Public Record

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. Voluntary.

In no event shall a candidate for public office be required to subscribe to or endorse the code.

¹304.

"Campaign advertising or communication" means a communication authorized by a candidate or a candidate's controlled committee, as defined in Section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.

305.

"Candidate for public office" means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or her behalf counted by election officials, for nomination for, or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

BALLOT DESIGNATION

CANDIDATE'S NAME

The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot. It **CANNOT** be changed after the nomination period has ended.

A CANDIDATE MAY:	<ul style="list-style-type: none"> ◆ Use a nickname, provided the given name or initials are shown. ◆ Use only the initials of the given name with the last name. ◆ Omit the middle name. ◆ Use a shortened familiar form of the given name. EXAMPLE: Bill for William, Dick for Richard, Pat for Patricia, Terry for Theresa, etc.
A CANDIDATE MAY NOT:	<ul style="list-style-type: none"> ◆ Use titles such as "Miss," "Mrs.," "Dr.," "Col.," "Rev." No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after a candidate's name. (<i>E.C. Sec. 13106</i>) ◆ Change his/her name within one year prior to the election. If the candidate has changed his/her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by decree of any court of competent jurisdiction. (<i>E.C. Sec. 13104</i>)

ORDER OF NAMES ON THE BALLOT

WHEN DETERMINED	<p>On December 11 the Secretary of State will conduct a random drawing of the alphabet and Registrars of Voters/County Clerks throughout the state will follow this same alphabet. Names of candidates will be arranged on the ballot in accordance with the random alphabet. (<i>E.C. Sec. 13112</i>)</p> <p>Exception: If the office is that of State Senator or Member of the Assembly and the district includes more than one county, the Registrar of Voters in each county shall conduct a drawing of the alphabet. The results of the drawing shall be known as a county randomized ballot and shall be used only to arrange the names of the candidates when the district includes more than one county. (<i>E.C. Sec. 13111</i>)</p> <p>In San Diego County, this will affect the 66th and 73rd Assembly Districts. Those interested in observing the local random drawing are invited to the Registrar of Voters Office: Thursday, December 11, at 11 a.m.</p>				
BALLOT ROTATION	<table border="0"> <tr> <td>◆ President of the United States</td> <td>◆ Congress</td> </tr> <tr> <td>◆ United States Senate</td> <td>◆ Superior Court Judges</td> </tr> </table> <p>Rotated names will appear in the random order in the lowest numbered Assembly District in which the office appears; thereafter, for each succeeding Assembly District, the name appearing first in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. (<i>E.C. Sec. 13111</i>)</p> <ul style="list-style-type: none"> ◆ The offices of San Diego Mayor and City Attorney will rotate by City Council District. ◆ The order of candidates' names for all other offices will not change. (<i>E.C. Sec. 13111</i>) 	◆ President of the United States	◆ Congress	◆ United States Senate	◆ Superior Court Judges
◆ President of the United States	◆ Congress				
◆ United States Senate	◆ Superior Court Judges				

CANDIDATE'S OCCUPATION

The state guidelines detailed on the following 12 pages will also be enforced for local offices.

CALIFORNIA ELECTIONS CODE SECTIONS REGARDING BALLOT DESIGNATION REQUIREMENTS

Section 13106.

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office.

Section 13107.

- (a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, may appear at the option of the candidate only one of the following designations:
- (1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.
 - (2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.
 - (3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
 - (4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.
- (b) Neither the Secretary of State nor any other election official shall accept a designation of which any of the following would be true:
- (1) It would mislead the voter.
 - (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
 - (3) It abbreviates the word "retired" or places it following any word or words which it modifies.
 - (4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."
 - (5) It uses the name of any political party, whether or not it has qualified for the ballot.
 - (6) It uses a word or words referring to a racial, religious, or ethnic group.
 - (7) It refers to any activity prohibited by law.
- (c) If, upon checking the nomination documents, the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents.
- (1) The candidate shall, within three days from the date of receipt of the notice, appear before the election officer or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation.
 - (2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.
- (d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the **elections** official as specified in subdivision (c) or as provided in subdivision (e).
- (e) The designation shall remain the same for all purposes of both primary and general **elections**, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.
- (f) In all cases, words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the **elections** official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.
- (g) Whenever a foreign language translation of a candidate's designation is required under the Voting Rights Act of 1965 (42 U.S.C.A. Sec. 1971), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

CALIFORNIA ELECTIONS CODE SECTIONS REGARDING BALLOT DESIGNATION REQUIREMENTS (Continued)

NEW – “Community Volunteer” now acceptable

Section 13107.5

- (a) A candidate's ballot designation as “community volunteer” shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:
 - (1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
 - (2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.
 - (3) A candidate may not use the designation of “community volunteer” in combination with any other principal profession, vocation, or occupation designation.
- (b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

The following state guidelines will also be enforced for local offices.

SECRETARY OF STATE BALLOT DESIGNATION REGULATIONS

§20710. General Provisions.

- (a) The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.
- (b) The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code § 13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.
- (c) Candidates are not required to use a ballot designation pursuant to Elections Code § 13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.
- (d) Pursuant to Elections Code § 13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified in Elections Code § 13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.
- (e) The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.
- (f) Whenever, the word “should” is used in this Chapter, it is recommended, not mandatory.

NOTE: Authority cited: Section 12172.5, Government Code.

Reference: Section 13107, Elections Code.

§20711. Ballot Designation Worksheet.

- (a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code § 13107, the candidate may submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.
- (b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.
- (c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

BALLOT DESIGNATION REGULATIONS (Continued)

- (1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;
- (2) A designation of the office for which the candidate is seeking election;
- (3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
- (4) The proposed ballot designation submitted by the candidate;
- (5) At the option of the candidate, the candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;
- (6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:
 - (A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;
 - (B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code § 13107, subdivisions (a)(1) or (a)(2), the candidate should indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;
 - (C) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(3), the candidate should indicate:
 - (i) The title of the position or positions which he or she claims supports the proposed ballot designation;
 - (ii) The dates during which the candidate held such position;
 - (iii) A description of the work he or she performs in the position;
 - (iv) The name of the candidate's business or employer;
 - (v) The name and telephone number of a person or persons who could verify such information; and
 - (vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at § 20714, subdivision (b).
 - (D) If the candidate submits a ballot designation pursuant to Elections Code § 13107, subdivision (a)(4), the candidate should indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.
- (d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20712. Proposed Ballot Designations Submitted Pursuant to Elections Code § 13107, Subdivision (a)(1).

Proposed ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(1), shall be subject to the following provisions:

- (a) In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
- (b) In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents.
- (c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(1).

BALLOT DESIGNATION REGULATIONS (Continued)

- (d) Proposed ballot designations indicating a position of legislative leadership, such as “Majority Leader of the California Senate,” “Minority Leader of the California State Assembly,” “Speaker of the California State Assembly,” “President Pro Tempore of the California State Senate,” and the like, are not elective offices described in Elections Code § 13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code § 13107, subdivision (a)(1). They may, however, be considered under the provisions of § 13107(a)(3).
- (e) Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code § 13107, subdivision (a)(1).

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20713. Proposed Ballot Designations Submitted Pursuant to Elections Code § 13107, Subdivision (a)(2).

Proposed ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(2), shall be subject to the following provisions:

- (a) A proposed ballot designation submitted pursuant to Elections Code § 13107, subdivision (a)(2), is limited “incumbent,” as that term is defined in Elections Code § 13107, subdivision (a)(2).
- (b) The term “incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code § 13107, subdivision (a)(2), shall be entitled to use the ballot designation “Incumbent.”
- (c) The word “incumbent” is strictly limited for use in ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20714. Proposed Ballot Designations Submitted Pursuant to Elections Code § 13107, Subdivision (a)(3).

Proposed ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(3), shall be subject to the following provisions:

- (a) The terms “profession,” “vocation,” or “occupation,” as those terms are used in Elections Code § 13107, subdivision (a)(3), are defined as follows:
 - (1) “Profession” means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a “profession,” as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, “attorney,” “physician,” “accountant,” “architect,” and “teacher.”
 - (2) “Vocation” means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a “vocation,” as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, “minister,” “priest,” “mother,” “father,” “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker.”
 - (3) “Occupation” means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable designation of an “occupation,” as defined in Elections Code § 13107, subdivision (a)(3), include, but are not limited to, “rancher,” “restaurateur,” “retail salesperson,” “manual laborer,” “construction worker,” “computer manufacturing executive,” “military pilot,” “secretary,” and “police officer.”

BALLOT DESIGNATION REGULATIONS (Continued)

- (b) "Principal," as that term is used in Elections Code § 13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term "principal" precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.
 - (1) If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her "principal" professions, vocations or occupations if (i) the candidate has maintained his or her license current as of the date he or she filed his or nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and (ii) the status of the candidate's license is active at the time he or she filed his or her nomination documents.
 - (2) A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her "principal" professions, vocations or occupations if (i) the candidate's licensure status is "inactive" at the time the candidate files his or her nomination document, or (ii) the candidate's license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.
- (c) In order for a ballot designation submitted pursuant to Elections Code § 13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate's principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate's principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code § 13107 and the regulations included in this Chapter.
- (d) If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate's proposed ballot designation is entitled to consist of the candidate's current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.
- (e) A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:
 - (1) The proposed ballot designation must comply with the three-word limitation specified in Elections Code § 13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein.
 - (2) Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein.
 - (3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/"). An example of an acceptable designation would be "Legislator/Rancher/Physician."
- (f) Pursuant to Elections Code § 13107, subdivision (a)(3), the candidate's ballot designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three word limitation:
 - (1) The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly.
 - (2) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language.

BALLOT DESIGNATION REGULATIONS (Continued)

(3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as that term is used in Elections Code § 13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of "City of . . .," "County of . . .," or "City and County of . . ." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento.

(4) An acronym shall be counted as one word.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20715. Proposed Ballot Designations Submitted Pursuant to Elections Code § 13107, Subdivision (a)(4).

- (a) Pursuant to Elections Code § 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase "appointed incumbent" if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed."
- (b) Pursuant to Elections Code § 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word "appointed" in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word "appointed."
- (c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code § 13107, subdivision (a)(4).

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20716. Unacceptable Ballot Designations.

- (a) The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with, or is otherwise inappropriate pursuant to, Elections Code § 13107, subdivision (a); is prohibited pursuant to Elections Code § 13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.
- (b) The following types of activities are distinguished from professions, vocations and occupations and are not acceptable as ballot designations pursuant to Elections Code § 13107, subdivision (a)(3):
 - (1) *Avocations*: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work, and matters pursued as an amateur.
 - (2) *Pro Forma Professions, Vocations and Occupations*: Pro forma professions, vocations or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, volunteer firefighter, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like.
 - (3) *Statuses*: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.
- (c) Pursuant to Elections Code § 13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation which would mislead voters. In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to §§ 20711 and 20717 of this Chapter.

BALLOT DESIGNATION REGULATIONS (Continued)

- (d) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, tradename, or the specific name of a business, partnership, corporation, company, foundation, or organization. Examples of an improper use of commercial identification information include, but are not limited to, "Acme Company President," "Universal Widget Inventor," "Director, Smith Foundation," "UCLA Professor," and the like.
- (e) Pursuant to Elections Code § 13107, subdivision (b)(2), the Secretary of State shall reject as unacceptable any proposed ballot designation which would suggest an evaluation of the candidate's qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate's qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, "outstanding," "leading," "expert," "virtuous," "eminent," "best," "exalted," "prominent," "famous," "respected," "honored," "honest," "dishonest," "corrupt," "lazy," and the like.
- (f) Pursuant to Elections Code § 13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation which abbreviates the word "retired" or places it following any word or words which it modifies. Examples of impermissible designations include "Ret. Army General," "Major USAF, Retired" and "City Attorney, Retired."
- (g) Pursuant to Elections Code § 13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, "Ex-," "former," "past," and "erstwhile." Examples of impermissible designations include "Former Congressman," "Ex-Senator," and "Former Educator."
- (h) Subject to the provisions of Elections Code § 13107, subdivision (b)(4), use of the word "retired" in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation. In evaluating a proposed ballot designation including the word "retired," the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term "retired":
 - (1) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than 5 years;
 - (2) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
 - (3) The candidate has reached at least the age of 55 years;
 - (4) The candidate voluntarily left his or her last professional, vocational or occupational position;
 - (5) If the candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office;
 - (6) The candidate has not had another more recent, intervening principal profession, vocation or occupation; and,
 - (7) The candidate's retirement benefits are providing him or her with a principal source of income.
- (i) Pursuant to Elections Code § 13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
- (j) Pursuant to Elections Code § 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.
 - (1) The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.
 - (2) If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., "Rabbi," "Pastor," "Minister," "Priest," "Bishop," "Deacon," "Monk," "Nun," "Imam," etc.)
- (k) Pursuant to Elections Code § 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

NOTE: Authority cited: Section 12172.5, Government Code.

Reference: Section 13107, Elections Code.

BALLOT DESIGNATION REGULATIONS (Continued)

§20717. Requests for Supporting Documentation.

In addition to the Ballot Designation Worksheet requested to be filed with the Secretary of State pursuant to § 20711 of this Chapter, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

- (a) Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials and the rendering of a summary, final decision on the candidate's proposed ballot designation.
- (b) The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and electronic mail at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.
- (c) The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all provisions of Elections Code § 13107 of this Chapter.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20718. Communication of Decisions Regarding Ballot Designations.

- (a) An official copy of the decision of the Secretary of State regarding a candidate's ballot designation will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.
- (b) At the request of the candidate, the Secretary of State will transmit an unofficial copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission sent to the facsimile number listed on the candidate's Ballot Designation Worksheet. When the candidate does not have reasonable access to a facsimile machine, the Secretary of State will transmit to the candidate, at the candidate's request, an unofficial copy of the decision by means of overnight express delivery to the address listed on the candidate's Ballot Designation Worksheet provided. If the candidate has not submitted a Ballot Designation Worksheet, the Secretary of State will transmit an official copy to the facsimile number provided by the candidate or, if the candidate does not have reasonable access to a facsimile machine, by overnight express mail to the address provided by the candidate.
- (c) All written decisions of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

§20719. Service of Legal Process Regarding Ballot Designations.

- (a) In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, Legal Affairs Unit, Executive Office of the Secretary, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State in the Legal Affairs Unit to accept service of process on behalf of the Secretary of State.
- (b) Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel to the Secretary of State at 916-653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.
- (c) The Secretary of State shall provide a copy of any legal actions in subdivision (a) or (b) above to the elections official in the county of the candidate's residence and any other county in the district.

NOTE: Authority cited: Section 12172.5, Government Code.
Reference: Section 13107, Elections Code.

CANDIDATE'S STATEMENT OF QUALIFICATIONS GUIDELINES

(Elections Code Section 13307 Excerpts)

FILING PERIOD	The statement shall be filed in the Registrar of Voters Office when nomination documents are returned for filing.
WHERE	Registrar of Voters Office 5201 Ruffin Road, Suite I San Diego, CA 92123
CONTENTS	The statement may contain the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate. (Some districts have increased the statement to 250 or 400 words; please see the requirements for each office in a separate section of this guide.)
EXAMINATION PERIOD	During the 10-calendar-day examination period following the deadline for submission of the statement any voter of the jurisdiction, or the Registrar of Voters, may seek a writ of mandate or an injunction requiring any or all of the material to be amended or deleted.
LIABILITY	Nothing in this section shall be deemed to make any such statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in the Voter Information Pamphlet.
FORMAT	<p>Candidates are asked to TYPE their statement SINGLE SPACED in BLOCK PARAGRAPHS on a form provided by the Registrar of Voters. The following WILL NOT be permitted:</p> <ul style="list-style-type: none"> ◆ Handwritten statement ◆ Copy from a fax machine ◆ Extra exclamation points ◆ Stars, bullets, graphics ◆ Italics <p>Please see the page following these "Guidelines" for an example of an acceptable format. STATEMENTS WILL BE TYPESET EXACTLY AS SUBMITTED; candidates are therefore advised to carefully check their statements for errors in spelling, punctuation and grammar. The Registrar of Voters is authorized to make corrections only to the format of the statement.</p> <p>If the Registrar of Voter's form is not used, the statement must be typed, SINGLE SPACED in BLOCK PARAGRAPHS on plain white paper (8 1/2" x 11") with MARGINS (both LEFT and RIGHT) of NO LESS than 1/2 inch. A fixed pitch font such as COURIER is recommended.</p> <p>The California Elections Code intends uniformity of appearance of the candidates' statements. By preparing a candidate statement in accordance with the above guidelines, each statement will be uniformly printed and allowed the same amount of space in the Voter Information Pamphlet. This avoids favored composition or printing of one candidate's statement over another.</p> <p>The statement will be printed in 8-point type in the Voter Information Pamphlet. Only the candidate's name, age and occupation will be printed in 10-point type.</p> <p>SAN DIEGO UNIFIED Please see the format exceptions and photograph requirements on Page 49, along with instructions regarding the use of quotations and names in the statement.</p>
RESTRICTIONS	The candidate's statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Candidate's photographs are not permitted.

CANDIDATE'S STATEMENT OF QUALIFICATIONS GUIDELINES (Continued)

WITHDRAWAL	The statement may be withdrawn, but not changed, until 5 p.m. of the next business day after the close of the nomination period.
CONFIDENTIAL	The candidates' statements shall remain confidential until the close of the nomination period. (<i>E.C. Sec. 13311</i>)
SUPERIOR COURT	Any candidate's statement submitted pursuant to Section 13307 by a candidate for Superior Court shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for judicial office or to another candidate's qualifications, character, or activities . The Registrar of Voters shall not cause to be printed or circulated any statement which the clerk determines is not so limited or which includes any such references. (<i>E.C. Sec. 13308</i>)
OTHER LANGUAGES	All candidates' statements (and other sample ballot text) are translated into Spanish and Tagalog and provided to Spanish and Tagalog language requesters in a generic (not by ballot type) pamphlet. These pamphlets are mailed, in addition to English sample ballot pamphlets, to voters who request Spanish and Tagalog language election materials. This is in compliance with the Federal Voting Rights Act Extension of 2002. Spanish sample ballot pamphlets are available at every polling place. Tagalog sample ballot pamphlets are also available in targeted areas of the county.
COST	<p>Candidates' statements are paid for at the time they are filed. The cost is shown on the individual page for each office. All money is held in a Trust Fund and if, for any reason, the statement is not printed, the money will be refunded. Cash and credit cards not allowed.</p> <p>The cost is calculated to recover expenses for Spanish translation, typesetting, printing, addressing, and mailing of the candidate statement portion of the English and Spanish sample ballot pamphlets.</p>
WORD COUNT	<p>The following shall apply to the counting of words:</p> <ol style="list-style-type: none"> 1. Punctuation is not counted. 2. Each word shall be counted as one word except as specified in this section. 3. All geographical names shall be considered as one word; for example, "County of San Diego" shall be counted as one word. 4. Each abbreviation for a word, phrase, or expression shall be counted as one word. 5. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. 6. Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word. 7. Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word. 8. Telephone numbers shall be counted as one word. 9. Internet web site addresses shall be counted as one word. <p>This section shall not apply to counting words for ballot designations under Elections Code Section 13107. (<i>E.C. Sec. 9</i>)</p>

NOTICE

All candidates are encouraged to read a recent court opinion starting on Page 51 (Dean vs Superior Court of Orange County) regarding restrictions of content in the Candidate's Statement of Qualifications, along with the County Counsel opinion regarding possible financial liability if a lawsuit is filed.

**EXAMPLE OF AN ACCEPTABLE FORMAT
FOR A
CANDIDATE'S STATEMENT OF QUALIFICATIONS**

**For an example,
please call the Registrar of Voters Office
at (858) 694-3405**

STATE SENATE AND STATE ASSEMBLY CANDIDATES' STATEMENTS OF QUALIFICATIONS

Candidates for State Senate and State Assembly are allowed to submit a **250-word** Candidate's Statement of Qualifications for inclusion in the sample ballot pamphlet, IF the provisions of Proposition 34 are met. The candidate must agree to:

1. Voluntary spending limits and indicate by checking the appropriate box on Form 501
2. Format guidelines and other criteria shown on Page 45
3. Submit the statement when the nomination documents are filed, but no later than December 5, 2003
4. File the statement with the Registrar of Voters of each county in which the jurisdiction appears. (The statement is not required to be printed in each county.) Format and payment may vary by county. Please contact each county for guidelines and costs:

Jurisdiction	County	Contact Information
66 th Assembly	Riverside	909-486-7210
73 rd Assembly	Orange	714-567-7563

5. The cost for San Diego County is determined as follows: \$100 set-up fee, plus \$5.00 per 1,000 registered voters within the candidate's own party and jurisdiction. The cost is shown below:

DISTRICT	POLITICAL PARTIES – Cost by District (San Diego County only)						
	DEM.	REP.	AM. IND.	GREEN	LIB.	NAT. LAW	P&F
39 th Senate	980	855	150	130	120	115	110
66 th Assembly	150	220	105	105	105	105	105
73 rd Assembly	220	275	110	105	105	105	105
74 th Assembly	420	630	125	110	110	105	105
75 th Assembly	440	645	125	110	110	105	105
76 th Assembly	545	475	130	120	115	105	105
77 th Assembly	440	625	130	110	110	105	105
78 th Assembly	535	470	120	110	110	110	105
79 th Assembly	430	320	115	105	105	110	105

SAN DIEGO UNIFIED SCHOOL DISTRICT
Exceptions to the Candidate's Statement Of Qualifications Guidelines

LIMITATIONS	Candidates are not limited to the paragraph format restrictions as explained in the Candidate's Statement of Qualifications Guidelines. Please ask for details or examples from prior elections.
PHOTOGRAPH	Candidates are allowed to have their photograph printed in the Voter Information Pamphlet, along with the statement. For best results, this should be a 5" x 7" black & white glossy (color does not reproduce well), showing just the head and shoulders of the candidate. Anything else submitted will be cropped to fit. The photograph will then be reduced to fit in the pamphlet.
COST	The candidate shall pay the cost to have the statement printed in a Primary Election and the District shall pay the cost in a General Election. This is in accordance with a Board Resolution dated September 14, 1982. The cost for each district is shown on a separate page for this office.

**NOTICE TO CANDIDATES REGARDING USE OF QUOTATIONS AND NAMES
IN STATEMENT OF CANDIDATE'S QUALIFICATIONS**

San Diego Municipal Code Section 27.0620 provides instructions about the Statement of Candidate's Qualifications.

Subsection (c) provides that the statement may include the use of a quotation from an individual, an organization, and publications. Use of the quotation requires written authorization from the individual, as well as the organization. The consent of an organization must be signed by an officer or other duly authorized representative of the organization. If the quotation is from a publication, a copy of the publication may be provided instead of a letter. All authorizations must be filed at the same time as the statement of qualifications, or the quotation will not be permitted in the statement.

Additionally, subsection (d) provides that the statement may include the names of family members and that any other names included in the statement must be authorized in writing by the individual or organization whose name is included in the statement, and that such authorization shall be filed with the Clerk's Office at the same time that the statement is filed.

The City Clerk's Office interprets this section to mean that the use of another individual's name in the statement, if not that of a family member, must be accompanied by a letter of authorization. The use of an organization's name, if included as an endorsement, must also be accompanied by a letter. Organizational names included in the statement as biographical information – such as the business names of former or current employers, colleges and universities attended, organizational memberships, affiliations or awards, and similar references – will not be subject to the authorization requirement.

Candidates are further reminded that the statement is a description of the candidate's qualifications. References to other candidates, officeholders and opponents are prohibited by Section 27.0621 of the San Diego Municipal Code.

The City Attorney has reviewed this interpretation and finds it to be a reasonable interpretation of these code sections.

Note:

The required documentation must be filed at the same time as the Candidate's Statement.

CANDIDATE STATEMENTS LIMITED TO CANDIDATE'S OWN QUALIFICATIONS

Court Decision Prohibits Any Reference to Opponents

All prospective candidates should be aware of the Court of Appeals ruling in the recent court case of Dean v. Superior Court. The 1998 decision analyzed California Elections Code section 13307, the statute governing the content of a candidate's statement for local office. The Court of Appeals concluded that the statement prepared by a candidate for inclusion in a voter's pamphlet may include comments on one's own qualifications, but may not include comments on one's opponents' qualifications, or lack thereof. A copy of the Dean decision has been reprinted in its entirety in this Guide for the convenience of prospective candidates.

***“The Dean decision is clear . . .
candidates are not to refer to their opponents
in any manner in the candidate's statement.”***

The Dean decision is clear - candidates are not to refer to their opponents in any manner in the candidate's statement. All candidates should confine their voter pamphlet statement to a listing of their particular qualifications and pertinent biographical information.

Importantly, persons seeking office that use the candidate's statement as a forum for attacking an opponent are subject to legal action by the opponent. The opponent can request that the court strike all improper content in a candidate's statement. **If successful in this effort, the candidate can request and the court can order the losing candidate to pay the attorney's fees and costs incurred by the opponent in challenging the candidate's non-conforming statement.** Accordingly, it is in each candidate's best interest to use his or her allotted words wisely and within the permissible scope of Elections Code section 13307.

Prospective candidates are solely responsible for preparation and submittal of candidate's statements that are in conformance with Elections Code section 13307 and other pertinent provisions of the California Elections Code. The Registrar of Voters and its employees and agents do not have the legal authority to reject or modify candidate statements containing improper content. Challenges to written material in a voter's pamphlet are governed by Elections Code section 13313, which authorizes the courts to amend or delete false, misleading or inconsistent material.

***“The Registrar of Voters and its employees and agents
do not have the legal authority to reject or modify
candidate statements containing improper content.”***

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

JOHN F. DEAN,

Petitioner,

v.

THE SUPERIOR COURT OF
ORANGE COUNTY,

Respondent;

ROSALYN LEVER et al.,

Real Parties in Interest.

G023111

(Super. Ct. No. 791765)

O P I N I O N

Original proceedings; petition for a writ of mandate to challenge an order of the Superior Court of Orange County, John C. Woolley, Judge. Writ issued.

Darryl R. Wold and Reed & Davidson for Petitioner.

No appearance for Respondent.

Mark S. Rosen for Real Party in Interest Darrell Opp.

No appearance for Real Party in Interest Rosalyn Lever.

* * *

Petitioner, a candidate for local office, seeks extraordinary writ relief mandating the Registrar of Voters delete part of an opponent's candidate statement as an impermissible personal attack on petitioner. We issue relief and conclude the superior court erred in not ordering the deletion.

Darrell Opp seeks to unseat the incumbent petitioner, John Dean, as county superintendent of schools in the upcoming June 1998 election. Opp submitted a candidate statement to the Registrar of Voters which began with the following three paragraphs commenting on petitioner: “[¶] The incumbent, John Dean, is failing our schools, our children and the taxpayers. [¶] Under Dean’s tenure \$250,000,000 (Two Hundred and Fifty Million!) was borrowed to gamble in the bankrupt Citron investment pool. Dean personally authorized this borrowing. He is one of the few remaining county officials who has not resigned or been removed from office for his role in this fiasco. [¶] Dean’s ‘leadership’ over the last eight years resulted in massive increases in the size of the County bureaucracy. Elected on a platform to cut the county budget, instead his budget has increased from \$64 Million to over \$105 Million.”¹

Dean challenged Opp’s candidate statement by seeking a writ of mandate in the superior court pursuant to Elections Code section 13313.² That section authorizes the court to mandate amendment or deletion of material in the voter’s pamphlet which is “false, misleading, or inconsistent with the requirements of this chapter;”

Dean sought relief on two grounds: (1) deletion of the first three paragraphs (quoted above) “because they consist entirely of material that is not permitted to be included in a candidate’s statement” and (2) deletion of four false and misleading sentences in the second and third paragraphs of the statement. The trial court denied the request to delete the first three paragraphs in their entirety, but did direct amendments to the second and third paragraphs.³ The only issue presented here is whether the lower court erred in refusing to delete the first three paragraphs in their entirety.

Section 13307 delineates the contents of a candidate’s statement for local office, as well as the procedures for inclusion of such a statement in the voter’s pamphlet. In

¹ The statement continues with a recitation of Opp’s background, his platform for the County Department of Education, and a list of individuals who have endorsed his candidacy.

² All further references are to the Elections Code unless otherwise noted.

³ The court directed the second paragraph be amended to read: “During Dean’s tenure \$250,000,000 (Two Hundred and Fifty Million!) was borrowed to invest in the risky Citron investment pool. Dean should have prevented this borrowing. He is one of the few remaining bankruptcy-era county officials who has not resigned or been removed from office.” The court directed the third paragraph amended to read: “Dean’s ‘leadership’ over the last eight years resulted in massive increases in the size of the County Department of Education bureaucracy. Elected on a platform to cut the Department’s budget, instead his budget has increased from \$64 Million to over \$105 Million.”

pertinent part, the statutes provides: “(a)(1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate’s statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate’s education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.”

“[T]he interpretation and applicability of a statute is a question of law.” (**City of Petaluma v. County of Sonoma** (1993) 12 Cal.App.4th 1239, 1244.) In reviewing petitioner’s claim, we are guided by well settled rules of statutory interpretation. The most fundamental of these rules is that where the statute is clear, the “plain meaning” rule applies. The Legislature is presumed to have meant what it said, and the plain meaning of the language governs. (**Great Lakes Properties, Inc. v. City of El Segundo** (1977) 19 Cal.3d 152, 155.) “If the language is clear and unambiguous there is no need for construction, nor is it necessary to resort to indicia of the intent of the Legislature” (**Delaney v. Superior Court** (1990) 50 Cal.3d 785, 798.)

The language of section 13307 is unambiguous. “The statement may include the name, age and occupation of the candidate and a brief description . . . of the candidate’s education and qualifications” As noted by the Supreme Court in **Clark v. Burleigh** (1992) 4 Cal.4th 474, “[t]he negative implication of this specific list, of course, is that the Legislature did not intend the statutory candidate’s statement to contain any other material: *expressio unius est exclusio alterius*. (Citation omitted.)”⁴ (**Id.**, at p. 489, emphasis in original.)

Opp argues **Clark** is distinguishable because section 13308, which governs *judicial* elections, contains specific limitations prohibiting comments on another candidate’s qualifications, character or activities. **Clark** first found the implied intent to limit the statement

⁴ **Clark** interpreted sections 10012 and 10012.1, the predecessors to sections 13307 and 13308. (See Stats. 1994, ch. 920, § 2.)

from the same words used in the statute we review here. The additional language specific to judicial elections demonstrates additional express intent. But express intent is unnecessary here under the maxim *expressio unius est exclusio alterius*. “The expression of some things in a statute necessarily means the exclusion of other things not expressed.” (**Gikas v. Zolin** (1993) 6 Cal.4th 841, 852, citing **Dyna-Med, Inc. v. Fair Employment & Housing Com.** (1987) 43 Cal.3d 1379, 1391, fn. 13; see also **Lake v. Reed** (1997) 16 Cal.4th 448, 466-467.) Here, the statute expressly authorizes comment’s on one’s own qualifications, to the exclusion of comments on an opponent’s qualifications.

We have received a reply from real party in interest Opp. Further proceedings would add nothing to our review. (See **Palma v. U.S. Industrial Fasteners, Inc.** (1984) 36 Cal.3d 171, 180.) The relevant law and facts are entirely clear. (**Ng v. Superior Court** (1992) 4 Cal.4th 29, 35.) Consequently, additional briefing and oral argument would serve no useful purpose. (**Alexander v. Superior Court** (1993) 5 Cal.4th 1218, 1222-1223.) Moreover, time is of the essence. (See Elec. Code, § 13314, subd. (a)(3).)

Let a peremptory writ of mandate issue directing the Registrar of Voters to delete the first three paragraphs of Opp’s candidate statement from the voter’s pamphlet and to print the Opp candidate statement in the voter’s pamphlet without those three paragraphs. To prevent mootness and to prevent frustration of the relief granted, this court’s decision shall be final upon filing of the opinion. (Cal. Rules of Court, rule 24(d).)

SILLS, P. J.

WE CONCUR:

WALLIN, J.

RYLAARSDAM, J.

Pages 55 through 70 is a
legal opinion issued by the
Court of Appeal that interprets
the term “qualifications” as used in a
candidate’s statement of qualifications
(and is not available in electronic format).

**If you would like a complete copy,
please call 858-694-3405.**

INDEPENDENT CANDIDATES

(Elections Code Section 8300, et. seq.)

The California primary elections include a partisan primary election at which each of the qualified political parties (Democratic, Republican, American Independent, Green, Libertarian, Natural Law, and Peace & Freedom) nominate their party's candidate for the November general election. Thus, the party nominating process contains no provision for members of nonqualified parties or nonpartisan candidates to participate in the primary nomination process.

The Independent Nomination provisions of the California Elections Code provide a method for the nomination of nonpartisan candidates to partisan public offices. There is no limitation to the number of independent candidates who can be nominated and placed on the ballot at the **GENERAL ELECTION**, provided each meets the legal requirements.

QUALIFICATIONS	To be an independent candidate at the General Election, the potential candidate <u>CANNOT</u> : 1. Have filed as a partisan candidate at the Primary Election and have been defeated for the party's nomination at that Primary Election; and, 2. Have been registered to vote in California since October 2, 2003, as being affiliated with a qualified political party. See Table of Contents for location of "Qualifications" for a specific office.																			
DECLARATION OF INTENTION	October 27 to November 5 Independent candidates for State Senate and State Assembly are required to file Declarations of Intention at the same time candidates for party nominations must file their Declarations of Intention. (E.C. Sec. 8350)																			
FILING FEE	Please see the next page for the fee for each office.																			
NUMBER OF NOMINATING SIGNATURES	Nomination papers for an office shall be signed by at least 1% or 3% (depending on the area) of the voters of the area as of October 21, 2002 (which was the close of registration for the preceding general election.) (E.C. Sec. 8400) Please see the next page for the number required in each district.																			
IMPORTANT DATES	<table><tr><th>Date</th><th>Event</th></tr><tr><td>October 2, 2003</td><td>Candidate has not been registered to vote in California as being affiliated with a qualified political party.</td></tr><tr><td>Sep. 26 to November 5</td><td>Petitions in Lieu of Filing Fee (for State Senate and State Assembly)</td></tr><tr><td>October 27 to November 5</td><td>Declaration of Intention (for State Senate and State Assembly)</td></tr><tr><td>November 6 to November 10</td><td>Declaration of Intention - Extension for other than incumbent, if incumbent fails to file by November 5.</td></tr><tr><td>November 6 to December 5</td><td>Supplemental Filing Period for Petitions in Lieu of Filing Fee (for State Senate and State Assembly)</td></tr><tr><td>April 23 to July 22</td><td>Petitions in Lieu of Filing Fee (for U.S. Senate and Congress)</td></tr><tr><td>June 7 to August 6</td><td>Declaration of Candidacy and Nomination Papers</td></tr><tr><td>July 23 to August 6</td><td>Supplemental Filing Period for Petitions in Lieu of Filing Fee</td></tr></table> <p>Please refer to the Election Calendar for other dates.</p> <p>New Term Begins: (Varies by Office) Length of Term: (Varies by Office)</p>		Date	Event	October 2, 2003	Candidate has not been registered to vote in California as being affiliated with a qualified political party.	Sep. 26 to November 5	Petitions in Lieu of Filing Fee (for State Senate and State Assembly)	October 27 to November 5	Declaration of Intention (for State Senate and State Assembly)	November 6 to November 10	Declaration of Intention - Extension for other than incumbent, if incumbent fails to file by November 5.	November 6 to December 5	Supplemental Filing Period for Petitions in Lieu of Filing Fee (for State Senate and State Assembly)	April 23 to July 22	Petitions in Lieu of Filing Fee (for U.S. Senate and Congress)	June 7 to August 6	Declaration of Candidacy and Nomination Papers	July 23 to August 6	Supplemental Filing Period for Petitions in Lieu of Filing Fee
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INDEPENDENT CANDIDATES (Continued)

Number of Signatures Required to Place a Candidate
on General Election Ballot on November 2, 2004.

(Based on Voter Registration from October 7, 2002.)

DISTRICT	VOTER REGISTRATION (OCTOBER, 2002)	REQUIRED SIGNATURES	FILING FEE
U.S. SENATE	15,303,469	153,035	\$3,094.00
CONGRESS			\$1,547.00
49 th District	280,196	8,406	
50 th District	354,056	10,622	
51 st District	261,271	7,839	
52 nd District	353,998	10,620	
53 rd District	317,497	9,525	
STATE SENATE			\$990.00
39th District	467,758	14,033	
STATE ASSEMBLY			\$990.00
66th District	179,653	5,390	
73rd District	205,198	6,156	
74th District	220,443	6,614	
75th District	235,074	7,053	
76th District	238,928	7,168	
77th District	229,096	6,873	
78th District	215,039	6,452	
79th District	154,401	4,633	

WRITE-IN CANDIDATES

(Elections Code Section 8600, et. seq.)

Candidates may be nominated or elected to any office at the primary election by fulfilling the requirements of the California Elections Code, commencing at Section 8600.

Please see the next page for the minimum number of votes required to obtain the write-in nomination.

FILING REQUIREMENTS	<p>Every person who desires to be a write-in candidate and have his/her name counted for a particular office shall file:</p> <ol style="list-style-type: none"> 1. A statement of write-in candidacy which contains the following: <ul style="list-style-type: none"> ◆ Candidate's name ◆ Residence Address ◆ Declaration stating he/she is a write-in candidate ◆ Title of office sought ◆ Election date ◆ Party nomination sought (if for a partisan primary election) (E.C. Sec. 8600) <p>In addition, candidates for San Diego Unified School District must also include:</p> <ul style="list-style-type: none"> ◆ Past residences for a period of four years ◆ Date and place of birth ◆ Occupation 2. A signed Oath or Affirmation of Allegiance (E.C. Sec. 200; Cal. Constitution Art. XX, Sec. 3) 3. The requisite number of signatures on the nomination papers for that office, and a circulator's affidavit. Signers and circulators must meet the same qualifications as for regular nomination papers. (E.C. Sec. 8602, 8603)
HOW ELECTED	<p>In order to be nominated to any nonpartisan office, the write-in candidate must receive over 50% of the ballots cast for that office. If no candidate receives over 50%, the top two candidates will run off in the General Election. Candidates for San Diego Unified and San Diego Community College Districts cannot win in the Primary Election. The top two candidates must face each other in a district-wide General Election.</p> <p>In order to be nominated to any partisan office, the write-in candidate must receive more votes than any other candidate running for that party's nomination, and must also receive votes equal to at least 1% of all votes cast for that office at the last preceding general election at which the office was filled. (E.C. Sec. 8605a)</p> <p>The minimum number of votes required to obtain the write-in nomination is set forth on the following page.</p>
FILING FEE	<p>No fee or charge shall be required of a write-in candidate . . . (E.C. Sec. 8604)</p> <p>Exception: Candidates for San Diego Unified School District must pay the required filing fee and/or submit signatures in lieu of filing fee. (San Diego Municipal Code Sec. 27.0321, 27.0322)</p>
FILING PERIOD	<p>January 5 to February 17</p> <p>The statement and nomination papers shall be available on the 57th day prior to the election and shall be filed with the Registrar of Voters not later than the 14th day prior to the election. (E.C. Sec. 8601)</p> <p>February 15</p> <p>Last day for write-in presidential candidates of all parties to file declarations with the Secretary of State in order to have write-in votes counted. (E.C. Sec. 6241, 6441, 6621, 6822)</p>

WRITE-IN CANDIDATES (Continued)

Minimum Number of Votes Required to obtain the Write-in Nomination.
(Based on Votes Cast for the Office at the last preceding General Election.)

DISTRICT	VOTES CAST AT LAST GENERAL ELECTION	WRITE-IN VOTES REQUIRED FOR NOMINATION (1% of votes cast at preceding General Election)
US SENATE	10,623,614	106,237
CONGRESS		
49th District	122,497	1,225
50th District	172,701	1,728
51st District	102,787	1,028
52nd District	169,010	1,691
53 rd District	116,180	1,162
STATE SENATE		
39th District	285,735	2,858
STATE ASSEMBLY		
66th District	81,135	812
73rd District	95,096	951
74th District	108,794	1,088
75th District	110,156	1,102
76th District	102,134	1,022
77th District	105,832	1,059
78th District	92,892	929
79th District	56,942	570

CAMPAIGN SERVICES SEMINAR

This meeting is to discuss what services people need from the Registrar of Voters Office and the capabilities to deliver those services.

WHEN	Wednesday, January 7, 2004 9 a.m. <u>OR</u> 6 p.m. (2 to 3 hours each)
WHERE	Department of Planning and Land Use – Meeting Room 5201 Ruffin Road, Suite B, San Diego (approx. 50 yards east of Registrar of Voters) Parking is available on the lower lot, if necessary
WHO IS INVITED	<ul style="list-style-type: none"> ◆ A candidate ◆ A campaign manager or consultant ◆ An election service vendor ◆ An elected official ◆ Anyone interested in what's available at the Registrar of Voters
RSVP	Feel free to invite others who may be interested. So we can plan for materials and seating, please RSVP by calling the Campaign Services Section at (858) 694-3406 to give your name, the number attending, and which session (morning or evening).

TOPICS TO BE COVERED

SERVICES AVAILABLE	<ul style="list-style-type: none"> ◆ CD ROM ◆ Computer Terminal Access ◆ Hard Copy Reports ◆ Labels ◆ Research Assistance ◆ Maps
COOPERATION	<ul style="list-style-type: none"> ◆ Voter Registration ◆ Absentee/Mail Ballot Voting ◆ Polls & Officers
BALLOT LAYOUT	<ul style="list-style-type: none"> ◆ Combined Partisan Sample Ballot ◆ Random Draw ◆ Ballot Rotation
BALLOT TABULATION	<ul style="list-style-type: none"> ◆ Results Availability ◆ Where/When/How Ballots Processed ◆ Observers
There will also be time for questions and answers.	

ABSENTEE/MAIL BALLOT VOTING

Candidates or campaigns planning to distribute mail ballot applications are advised, before implementation, to review the "Absentee/Mail Ballot Guidelines" prepared by the Secretary of State. **Critical points include:**

1. Approval of application format by Registrar of Voters, prior to printing.
2. Applications received from voters by campaigns must be returned to the Registrar of Voters within 36 hours.

A complete copy of the "Absentee/Mail Ballot Guidelines," which includes the application format, is available from the Registrar of Voters Office, and is provided at the Campaign Services Seminar.

Voting by mail is available to any registered voter. Obtaining a ballot at the Registrar of Voters Office or requesting a ballot through the mail before the election can be a convenient way to cast one's vote.

APPLICATION

HOW ABSENTEE VOTER APPLIES	<ul style="list-style-type: none">◆ Use application on back cover of sample ballot, OR◆ Write a brief note or complete an application.◆ Phone requests NOT taken due to required signature.
CONTENTS OF APPLICATION	<ul style="list-style-type: none">◆ Voter's printed name◆ Residence address (not a P.O. Box)◆ Address where ballot should be mailed◆ Telephone number (optional)◆ Birth date (optional)◆ Voter's written signature
MAIL APPLICATION TO:	REGISTRAR OF VOTERS P.O. Box 85520 San Diego, CA 92186-5520

SCHEDULE

February 2	FIRST DAY. Absentee/Mail ballots are available by mail or in person from the Registrar of Voters. (Requests received prior to February 2, 2004 will be held and processed beginning this date.)
February 24	LAST DAY. Absentee/Mail ballot requests by mail must be <u>received</u> no later than 5 p.m. on this date.
February 25 to March 2	EMERGENCY VOTING. Absentee ballots may be obtained and voted <u>in person</u> at the Registrar of Voters Office continuing through election day. An emergency statement, signed by the voter, is required.
February 28 & 29	WEEKEND VOTING. The Registrar's Office will be open the weekend before the election to assist voters unable to go to the polls on election day.
March 2	ELECTION DAY. Voted ballots must be <u>received</u> at the Registrar of Voters Office, or at any polling place in San Diego County, no later than 8 p.m. on election day.

For further information on Absentee/Mail Voting, please call 858- 694-3415.

REGISTRATION, MAPS AND ELECTION DATA

Listed below is a brief description of some of the services and materials available from the Registrar of Voters Office. Many of the items are to be used for specified purposes only, including political campaigns.

VOTER INDEX (aka: Walking Lists, Precinct Lists, etc.)	<p>Lists of voters are available for purchase. The purchaser will be required to:</p> <ol style="list-style-type: none"> 1. Show a picture identification card 2. Sign a form which states <ul style="list-style-type: none"> ♦ the purpose for which the list will be used, and that ♦ the list won't be used for unauthorized purposes 3. Pay in advance <p>Lists are available in various sorts:</p> <ul style="list-style-type: none"> ♦ <u>Current</u> registered voters ♦ Voters who have <u>voted</u> in specific election(s) ♦ <u>Date range</u> of voters (those who registered between two specified dates) ♦ Separated by <u>jurisdiction</u> or <u>party affiliation</u> <p>Additional sorts may be available, please ask for details.</p> <p>These lists show the voter's name, address, party affiliation, precinct number and telephone number (if provided by voter). The lists can be in "alpha" order or "address" order.</p>
DISTRICT MAPS	<p>Maps of the political districts are on file in the Precinct Planning Section and may be reviewed during regular office hours.</p> <p>The following maps are available for purchase from the Registrar of Voters:</p> <ol style="list-style-type: none"> 1. GIS Maps Custom maps with any of the following layers: City Boundaries, Communities, District Boundaries, Precincts (voter and/or election), Roads, Census Tracts, Parcels and Zip Codes are available in sizes up to 36" by 48". 2. Countywide Map (36" x 48") Cities, Communities and Jurisdictions. 3. Boundary Maps (8½" x 11") Congress, State Senate, State Assembly and Supervisor Districts with minimal detail. <p>To obtain any of these maps, please call 858-694-3199.</p>
VOTER FILE ON CD ROM AND OTHER COMPUTER REPORTS	<p>Various CD ROMs and hard-copy reports are available which list voters, streets, precincts, consolidations, polling places, registration figures, and election results.</p>
MAILING LABELS	<p>Self-adhesive labels are now available from the Registrar of Voters. Labels can be produced for any election, with an option to select district, precinct or party.</p>
<p style="text-align: center;">FOR FURTHER INFORMATION, PLEASE CALL (858) 694-3406.</p>	

FINANCIAL AND CAMPAIGN DISCLOSURE INFORMATION

(For Campaign Disclosure Filing Schedule, See Page 11)

The following information is meant to help candidates, officeholders, and political committees comply with federal, state, and local political finance laws. Read it carefully and use the resources prescribed before you begin any financial activity that might be considered political in nature.

Failure to file appropriate statements and reports in compliance with the election laws described below can result in substantial criminal, civil, and administrative penalties. Failure to file within the prescribed deadlines can lead to late filing penalties for each day the statement is late.

<p>STATE REQUIREMENTS</p>	<p>The Political Reform Act (Title 9 of the Government Code) was adopted by voter initiative in 1974 and has been periodically amended by state legislation and through ballot initiatives. The Act, in part, provides that:</p> <ul style="list-style-type: none"> ◆ Receipts and expenditures in election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited (<i>Gov. Code Sec. 81002a</i>) ◆ Assets and income of public officials which may be materially affected by their official actions should be disclosed ◆ In appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided (<i>Gov. Code Sec. 81002c</i>) <p>The Political Reform Act is administered by the Fair Political Practices Commission (FPPC) which provides the Registrar of Voters with information manuals, instruction sheets, and disclosure forms that must be used in order for candidates, officeholders, and committees to comply with the Act.</p> <p>The Registrar of Voters provides these items in financial information packets available to all candidates, officeholders, and committees that might have filing obligations with the Registrar of Voters. Please obtain and refer to those packets for information and guidelines regarding financial disclosure requirements of the Act.</p> <p>Note: Some disclosure requirements must be met prior to the solicitation or receipt of any contribution or loan, and prior to use of any of the candidate's personal funds in support of their campaign. Please examine materials provided carefully so that compliance with the law is made.</p>
<p>LOCAL REQUIREMENTS</p>	<p>Local jurisdictions may adopt local ordinances that impose requirements on officeholders, candidates, and committees active only in their jurisdictions. Local jurisdictions may also impose contribution limitations in elections within their jurisdictions. These requirements and limitations are in addition to state requirements. A local campaign ordinance, however, never preempts state law.</p> <p>All city, county and state officeholders, candidates and committees must report contributions and expenditures on the FPPC's forms and comply with disclosure requirements/filing deadlines set forth in the Political Reform Act.</p> <p>Candidates for COUNTY OFFICES should refer to the San Diego County Election Campaign Finance and Control Ordinance for campaign finance requirements, including contribution limitations, that are in addition to the requirements of the Political Reform Act. (The ordinance is available at the Registrar of Voters Office and is included in the financial information packets available to candidates for County Offices.)</p> <p>The following candidates and committees may also be subject to additional disclosure requirements or contribution limitations under local jurisdiction campaign ordinances:</p> <ul style="list-style-type: none"> ◆ Any local officeholders and candidates ◆ Committees primarily formed to support or oppose local candidates or local ballot measures ◆ City and county general purpose recipient committees ◆ City and county major donor and independent expenditure committees

FINANCIAL AND CAMPAIGN DISCLOSURE INFORMATION (Continued)

FEDERAL REQUIREMENTS	<p>The Federal Election Campaign Act (2 U.S.C.. Section 441e) prohibits contributions from foreign nationals in connection with any local, state, or federal election for political office.</p> <p>Provisions of the Political Reform Act (described under "STATE REQUIREMENTS") DO NOT apply to elections for federal office, including the Office of the President and Vice President, nor seats in the House of Representatives or U.S. Senate. Candidates for federal office and committees that participate in federal campaigns are subject to federal disclosure requirements.</p> <p>Assistance for federal candidates and committees may be obtained from the Federal Election Commission at the address and telephone number shown below.</p>	
IMPORTANT ADDRESSES, AND TELEPHONE NUMBERS	<p>SAN DIEGO COUNTY Registrar of Voters Financial Disclosure 5201 Ruffin Rd, Suite I San Diego CA 92123 Phone: (858) 694-3407 Fax: (858) 694-2955 Internet: www.sdvote.com</p> <ul style="list-style-type: none"> • Local Committees and Candidates • Forms and Manuals • Filing Schedules • Review and Copy Filed Reports 	<p>SECRETARY OF STATE Political Reform Division PO Box 1467 (95812-1467) 1500 11th Street, Room 495 Sacramento CA 95814 Phone: (916) 653-6224 Fax: (916) 653-5045 Internet: www.ss.ca.gov</p> <ul style="list-style-type: none"> • Committee Identification Numbers • Termination of Committees
	<p>FEDERAL ELECTION COMMISSION 999 E Street NW Washington DC 20463 Phone: (800) 424-9530 Internet: www.fec.gov</p> <ul style="list-style-type: none"> • Federal Campaign Disclosure • Contributions from National Banks, National Corporations and Foreign Nationals 	<p>FAIR POLITICAL PRACTICES COMMISSION PO Box 807 (95812-0807) 428 J Street, Suite 620 Sacramento CA 95814 Phone: (866) 275-3772 Fax: (916) 322-3711 Internet: www.fppc.ca.gov</p> <ul style="list-style-type: none"> • Campaign Disclosure • State Contribution Limits • Conflict of Interest Disclosure • Lobbying Disclosure • Conflict of Interests Disqualification • Proper Use of Campaign Funds <p style="text-align: center;">To Report a Violation (800) 561-1861</p>
	<p>STATE FRANCHISE TAX BOARD (800) 338-0505 Internet: www.ftb.ca.gov</p> <ul style="list-style-type: none"> • Committee Tax Status • Tax Deductible Contributions • Charitable Non-Profit Groups • Any Other Tax-Related Questions 	
	<p>INTERNAL REVENUE SERVICE (800) 829-1040 Internet: www.irs.ustreas.gov</p> <ul style="list-style-type: none"> • Federal Taxpayer I.D. Numbers • Any Other Tax Related Questions 	

For information on campaign disclosure requirements, please contact:

Elvira Vargas, Filing Officer
Registrar of Voters, County of San Diego - (858) 694-3407

OR

Fair Political Practices Commission - (866) 275-3772

The FPPC has not scheduled a Candidate/Treasurer Seminar in San Diego County during 2003. Please ask (or check the FPPC website) for the 2004 schedule in January.

MISCELLANEOUS INFORMATION

SAMPLE BALLOTS	Sample ballot pamphlets are mailed two to four weeks before the election to each registered voter eligible to vote in this election. Voters who register or re-register between 38 and 15 days before the election will receive sample ballots or other voting information including directions to the polls (if applicable).
CALIFORNIA BALLOT PAMPHLET (STATE PAMPHLET)	This pamphlet contains all of the state measures, accompanying text (analysis, arguments, rebuttals, etc.). The Secretary of State mails the pamphlet (one per household) during the month before the election. The Registrar of Voters mails the California Ballot Pamphlet to voters who register within 60 days of the election.
VOTER REGISTRATION DEADLINE	Tuesday, February 17, is the last day to register to vote in the March 2 nd Primary Election.
ELECTIONEERING AT THE REGISTRAR OF VOTERS OFFICE	Registrar of Voters Office is a polling place and the wearing or displaying of election campaign material is prohibited.
CANDIDATE'S POLLING PLACE	Registrar of Voter's policy does not allow candidates or family members to host a polling place or act as a poll worker in the candidate's jurisdiction.
CANDIDATE'S EMPLOYMENT	Registrar of Voter's policy does not allow candidates or family members to work as temporary employees for the Registrar of Voters Office during their candidacy.
ARGUMENT/ REBUTTAL SIGNERS	Registrar of Voter's policy does not allow signers on arguments or rebuttals to host a polling place or to act as a poll worker in the County.
ELECTION DAY ACTIVITIES	The polls will be open from 7 a.m. to 8 p.m. Campaigning is not allowed within 100 feet of the entrance to a polling place. This includes: circulating <u>any</u> petition, soliciting votes, exhibiting any campaign signs, or any other electioneering.
ELECTION NIGHT ACTIVITIES	<p>The polls are officially closed at 8 p.m. Election activity then changes from what was primarily voter participation at the polls to vote tabulation at the Registrar of Voters Office counting site. Certain check-in and processing procedures take place at the counting site; next, the voted ballots are tallied by computer and the cumulative election returns are available to candidates, the news media, and the public. Beginning at 8 p.m., the public is invited to watch this vote tabulating process from the "Public Viewing Areas."</p> <p>Absentee/mail ballot voting results will be reported first, at approximately 8:15 p.m. The next bulletin will be issued at approximately 9:30 p.m. and every 20 to 30 minutes thereafter.</p>
ELECTION RESULTS	<p>Election results will be available at "Election Central"/Golden Hall (202 C Street, downtown San Diego) on election night beginning at 8 p.m. until all precincts are reported and their ballots counted (approximately 1 a.m.). Election results will also be provided by phone or the Internet to anyone wishing to monitor the returns that night or the days after:</p> <p style="text-align: center;">Telephone: 858-565-5800 Internet: www.sdvote.com</p> <p>Provisional and additional absentee/mail ballots will be counted during the week following the election. Bulletins with these "add-on counts" will be available at the front counter of the Registrar of Voters Office.</p> <p>The semi-official <u>precinct</u> breakdown will be available the day after the election at the Registrar of Voters Office for anyone who wishes to review the results.</p>
OFFICIAL CANVASS OF THE RETURNS	The Registrar of Voters shall conduct the official canvass of the returns. When completed (within 28 days following the election), a certified statement of the results will be submitted to the Secretary of State, the Board of Supervisors and affected jurisdictions.

POLITICAL ADVERTISEMENT REQUIREMENTS

(Elections Code Section 20008)

NEWSPAPER AD REQUIREMENTS	Any paid political advertisement which refers to an election or to any candidate for state or local elective office and which is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.
DEFINITION	As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

MASS MAILING OF CAMPAIGN LITERATURE

REGISTRAR OF VOTERS DUTIES	A copy of Section 84305 of the Government Code (see below) shall be provided by the Registrar to each candidate or his or her agent at the time of filing the declaration of candidacy . . . (E.C. Sec. 16)
PUBLIC EXPENSE	No newsletter or other mass mailing shall be sent at public expense. (Gov. Code Sec. 89001)
DEFINITION	"Mass mailing" means over 200 substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry. (Gov. Code Sec. 82041.5)

CALIFORNIA GOVERNMENT CODE SECTION 84305

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

SIMULATED BALLOT REQUIREMENTS

(Elections Code Section 20009)

- a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

NOTICE TO VOTERS

(Required by Law)

This is not an official ballot or an official sample ballot prepared by the county elections official or the Secretary of State. This is an unofficial, marked ballot prepared by (insert name and address of person or organization responsible for preparation thereof).

Nothing in this section shall be construed to require any such notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

- b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public official entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.
- c) The superior court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

**Pages 83 through 94 are the
Sign Regulations for the
State of California and County of San Diego
(and are not available in electronic format).**

**If you would like a complete copy,
please call 858-694-3405.**

SIGN INFORMATION (Continued)

SIGN ORDINANCES

Information on sign permits or complaints about illegal signs can be obtained from the numbers listed below.

INCORPORATED CITIES		
CITY	DEPARTMENT	TELEPHONE NUMBER
CARLSBAD	Community Development	760-602-4610
CHULA VISTA	Planning Department	619-691-5101
CORONADO	Community Development	619-522-7326
DEL MAR	Planning/Code Enforcement	858-755-9313 Ext. 24
EL CAJON	Planning Department	619-441-1741
ENCINITAS	Code Enforcement	760-633-2685
ESCONDIDO	Planning/Code Enforcement	760-839-4671
IMPERIAL BEACH	Community Development	619-628-1356
LA MESA	Planning Department	619-667-1189
LEMON GROVE	Community Development	619-825-3805
NATIONAL CITY	City Clerk	619-336-4228
OCEANSIDE	Code Enforcement Division	760-435-3945
POWAY	Development Services Division	858-679-4299
SAN DIEGO	Development Services	619-446-5000
SAN MARCOS	Code Enforcement Office	760-744-1050 Ext. 3145
SANTEE	Department of Development Services Planning Division	619-258-4100 Ext. 152
SOLANA BEACH	Planning Department	858-720-2441
VISTA	Development Service Center	760-639-6108
STATE OF CALIFORNIA		
SEE PAGE 83 FOR DETAILS		
COUNTY (UNINCORPORATED AREAS OF SAN DIEGO)		
SEE PAGE 86 FOR DETAILS		858-694-3275